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FRAUD IN AMERICA'S INSURED DEPOSITORY INSTITUTIONS

HEARINGS

BEFORE THE

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS
UNITED STATES SENATE

ONE HUNDRED FIRST CONGRESS

SECOND SESSION

ON

THE EXACT NATURE OF THE FRAUD PROBLEM, WHY IT SEEMS TO BE AS PERVASIVE AS IT IS, HOW THE FEDERAL GOVERNMENT IS RESPONDING TO IT AND HOW TO TAKE FURTHER STEPS BEYOND REFORM LEGISLATION ALREADY ENACTED AND ADDITIONAL LEGISLATION THAT IS NOW COMING DOWN THE LEGISLATIVE TRACK IN THIS SESSION, HOW WE COULD GO FURTHER TO TRY TO REDUCE THE LEVEL OF FRAUD IN AMERICA'S DEPOSITORY INSTITUTIONS

AUGUST 1 AND 2, 1990

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FRAUD IN AMERICA'S INSURED DEPOSITORY INSTITUTIONS

WEDNESDAY, AUGUST 1, 1990

U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10:05 a.m., in room SD-538 of the Dirksen Senate Office Building, Senator Donald W. Riegle, Jr. (chairman of the committee) presiding.

Present: Senators Riegle, Garn, Heinz, Bond, Shelby, Dixon, D'Amato, Pressler, and Sanford.

OPENING STATEMENT OF CHAIRMAN RIEGLE

The CHAIRMAN. The committee will come to order.

Let me welcome all those in attendance this morning, and very particularly our witnesses that I will introduce just a little bit later.

This morning we are convening two back-to-back hearings on fraud in America's insured depository institutions. Certainly this is a subject that has been very much the news and is of great interest and importance I think to the country. This is very much a bipartisan concern on this committee, and I want to note that these hearings have been initiated in response to a request by Senator Bond of Missouri, who is en route to the committee this morning and will be here shortly.

As we have found more and more stories as to what went on inside various failed savings and loans and in other financial institutions, I think we have become much more aware of just how vulnerable our depository institutions are to fraudulent activities.

While it has been a significant problem in the savings and loans industry, it is not just a problem for failed institutions and it's not just a problem for the Justice Department to handle, although they have a major role to play.

The FBI is investigating more bank fraud cases than thrift fraud cases at the present time, and it is investigating far more open institutions than closed institutions, and the FDIC and the RTC are litigating literally hundreds of civil cases arising out of bank and thrift failures, many of which could be fairly characterized as civil fraud litigation.

In the course of these hearings and others that the committee will schedule as needed the committee will be endeavoring to learn more about the exact nature of the fraud problem, why it seems to be as pervasive as it is, how the Federal Government is responding to it and how we might take further steps beyond reform legislation already enacted and additional legislation that is now coming down the legislative track in this session, how we could go further to try to reduce the level of fraud in America's depository institutions.

Tomorrow we will have the opportunity to raise these issues with the Attorney General, Mr. Thornburgh and with FDIC Chairman Seidman.

Today we will be hearing from a distinguished panel of experts.

First, the committee will hear from Assistant Comptroller General Richard Fogel on behalf of the General Accounting Office, and Mr. Fogel is accompanied this morning by Jim Burow, who is the Assistant Director of the—is it General Government Division?

Mr. FOGEL. Yes.

Mr. BUROW. Yes.

The CHAIRMAN. We will also be hearing from Dr. Benton Gup, who is an academic who has recently published a book on bank fraud, and from Bruce Maffeo, who is a former Assistant U.S. Attorney who has had significant experience litigating cases involving fraud against financial institutions.

So I very much want to welcome our witnesses to the Banking Committee this morning, and we will look forward to their testimony as a foundation as well for our hearing tomorrow.

Senator Garn.

OPENING STATEMENT OF SENATOR GARN

Senator GARN. Thank you, Mr. Chairman.

I am certainly pleased that you have decided to hold these hearings to explore questions about bank and thrift fraud, and I also want to compliment Senator Bond from Missouri who was one of the first on this committee, a long time before it became popular, to talk about bank and thrift fraud and who is pressing the administration and all of us in Congress to do more about it.

I have been extremely concerned about the percentage of the thrift losses that were due to fraud, and that is why I supported the tough enforcement provisions in FIRREA.

I also, along with Senator Heinz, and he exercised a great deal of leadership in this, just a couple of weeks ago co-sponsored the Thrift Fraud Amendment to the Crime Bill, and several other members of this committee also co-sponsored that amendment.

It stiffened the penalties for bank fraud, allowed prosecutors to bring RICO suits against those who have committed these crimes, set up a Financial Institutions Crime Unit at the Justice Department to ensure that the Government's efforts in this area are well coordinated and expanded in the Federal forfeiture and money laundering laws and increase the resources available to carry out these prosecutions.

I was pleased that we were able to work out the differences between members of the Senate and also the administration and come up with a package that both sides could support.

Defrauding a thrift or a bank I believe is worse than other white collar crimes because the taxpayers ultimately stand behind our insured financial institutions, and those who steal from banks and thrifts are actually stealing from the taxpayers. Those who have looted insured financial institutions to fund their lavish life styles deserve to be dealt severely, and I look forward to your testimony, gentlemen, and thank you for coming today.

The CHAIRMAN. Thank you, Senator Garn.

Senator Shelby has also expressed a strong interest in this for some period of time, and let me call on Senator Shelby.

OPENING STATEMENT OF SENATOR SHELBY

Senator SHELBY. Thank you, Mr. Chairman.

Mr. Chairman, I would like, like everybody else, to commend you for scheduling this hearing this morning.

The problem of financial institution fraud is extremely serious, as we all know, as the rising cost of the savings and loans crisis has demonstrated.

First, I would like to welcome today witnesses, and in particular Dr. Benton Gup, a friend and neighbor, and currently a distinguished professor at the University of Alabama in my home town of Tuscaloosa.

Dr. Gup has written an excellent book on how to detect and deter fraud entitled "Bank Fraud: Exposing the Hidden Threat to Financial Institutions." I commend this to every member of this committee and the others here.

Dr. Gup, I want to commend you for this book and for your excellent work in the field of banking. I think this book should be required reading for every officer and director in the financial institutions, and maybe that way we would have less fraud.

Mr. Chairman, last year this committee worked with out counterparts in the House and the administration to clean up the biggest bank heist in our Nation's history. While we know that there was a number of other very significant factors that contributed to the enormous magnitude of the savings and loans crisis, we're learning more every day about the pervasiveness of fraud in insured financial institutions.

The estimates of the incidents and the cost of fraud vary widely from the RTC speculation that fraud contributed to 40 percent of the failures to Bert Ely's low-end estimate that quantifies the cost at 3 percent or $5 billion of the present value cost of the crisis that we know.

However, Mr. Chairman, the exact cost of the savings and loans crisis attributable to fraud is really irrelevant at this point. The real problem is the public's perception that insiders at financial institutions can use insured deposits for their own personal gain and benefit without fear of prosecution.

Daily the papers are full of stories about savings and loan executives with extensive art collections, big mansions, fancy yachts, trips to Europe and so forth, and more often than not these executives are still playing golf at their respective country clubs and still living in their million dollar mansions while the taxpayer is called upon to finance the savings and loan crisis. This is not acceptable to us, and it's certainly not acceptable to the American taxpayer.

Prosecuting white collar crime, particularly fraud with a financial institution is extremely difficult. The cases are fact intensive with paper trails chronically concealing complex transactions that are difficult to explain to a jury. And on top of that the prosecution has to prove that the defendant intended to commit fraud.

As Dr. Gup points out in the jacket of his book, those that act to defraud financial institutions are not easily detected as the bank robbers that they are. They wear pin-striped suits. They do not leave fingerprints on a smoking gun. But while we may not have a murder weapon, we do have a victim, Mr. Chairman. The corpse of failed savings and loans and banks are all this country.

The taxpayers are on the hook for hundreds of billions of dollars, and yet criminals are still playing golf at the country club. I believe that we have to do better, if not simply for the sake of justice, then for the sake of deterring fraud in the future.

The line between business as usual and fraud can be very trying in the banking industry, but insiders at financial institutions must know that when they cross the line they will be prosecuted. They well be treated at least as harshly as the bank robber wearing black and carrying a gun that Dr. Gup describes in his book.

I would assert that perhaps they should be treated more harshly because that commit fraud have abused the trust placed in them by the depositors.

FIRREA authorized $75 million for the Justice Department to devote to prosecute financial institutional fraud. The administration asked for only two thirds of that. To date the Justice Department's efforts can only be characterized as sluggish and disorganized at best.

Earlier this summer, almost 10 months after the passage of FIRREA, the President led a pep rally to announce that the Justice Department was going to get tough on fraud. Nobody believes it. I wonder if we will ever know how many cases saw the statute of limitations expire during that 10 month window when nothing was done.

I do not wish to disparage the efforts of the U.S. Attorney's Offices or the FBI or the regulators already on the job. I recognize that prosecuting financial institution fraud is a thankless job and I appreciate the efforts of the men and women that are dedicated to bringing these criminals to justice.

It is the leadership that I question. The professionals on the front line need help. It's my understanding that the Justice Department has over 80,000 cases pending, and as of yet the Department is yet to be fully staffed. Obviously something is wrong.

For this reason I supported the S&L fraud package that was made part of the Crime Bill. A number of my colleagues, as has been pointed out here, have put a lot of work into that bill, and I commend them for their efforts. I believe there is a lot to be done, and I hope that the administration is going to get on the ball and do something in this area.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Shelby.

I know Senator Heinz had to leave for the Finance Committee and, Senator Garn, did you make a statement for him?

Senator GARN. Yes. Mr. Chairman, he apologized for having to leave. He does have a markup in the Finance Committee, and I ask unanimous consent that his opening statement be placed in the record.

The CHAIRMAN. Without objection, it is so ordered.

[Statement of Senator Heinz follows:]

OPENING STATEMENT OF SENATOR JOHN HEINZ

Senator HEINZ. Mr. Chairman, I join you in welcoming today's witnesses and commend you for holding these hearings on bank and thrift fraud. The savings and loan crisis represents the largest bank heist in United States history. The American taxpayer's wallet has been picked clean.

The Resolution Trust Corporation reports that more than 60 percent of insolvent savings and loans were "victimized by serious criminal activity." The Attorney General has concluded that there was an "epidemic of fraud" in the savings and loan industry. There are over 7,000 pending bank fraud investigations and hundreds of new bank and thrift failures a year.

Just a few weeks ago Congress began building a breakwall to protect the taxpayer against this extraordinary crime wave. Working on a bipartisan basis with a number of my colleagues on this committee, I was pleased to sponsor "The Comprehensive Thrift and Bank Fraud Prosecution and Taxpayer Recovery Act of 1990" as an amendment to the Omnibus Crime bill. This amendment stiffened the penalties against bank fraud and provided the additional resources needed to put the crooks who stole from federally insured depository institutions in jail.

Mr. Chairman, it is time that Congress declare savings and loan crooks public enemy number one. With the cost of the savings and loan bailout in the hundreds of billions of dollars, it is time that Congress make the recovery of funds for the American taxpayer job number one. The American people want the savings and loan crooks taken out of their penthouse and placed in a jail house. Those who committed crime in the "suites" must be taken off the streets.

The CHAIRMAN. Senator Bond. And I might say, Senator Bond, before you start that I had in my opening comments acknowledged your leadership in this area of concern and your request to the committee that we move ahead with hearings in this area. So today and tomorrow will be two such hearings that respond to that request that you made to us.

OPENING STATEMENT OF SENATOR BOND

Senator BOND. Well, Mr. Chairman, I am really most indebted to you and to the ranking member for responding to that request. You have shown great leadership in this area, and I feel that the committee is moving forward as a committee on a bipartisan basis on something that we consider to be a very significant part of this whole problem.

Without your leadership, obviously we would not have come to this point. I sincerely appreciate it because I think the public has really had a significant increase and it has come to their awareness through the tremendous number of news stories about S&L crooks and the public anger over the losses that have been rung up by those who defrauded the thrifts, and I think we all believe that that anger is justified.

I would agree with my distinguished colleague from Alabama with whom we have worked on this, too, that it's just outrageous that the taxpayers are having to pay for these losses from fraudulent S&L owners who built the swimming pools for their dogs, jetted off the Europe, live in mansions and still use their country clubs.

I wonder if my colleague might be so kind as to provide me an autographed copy of that book.

Senator SHELBY. I would yield to Dr. Gup.

Senator BOND. Dr. Gup, perhaps you hit him up over the back fence with a copy of that so we can learn more about it. [Laughter.]

I think, Mr. Chairman, it ought to be noted that the losses run up by the thrifts were only part of the story. Much of the money that was lost was due to poor business judgment with no criminal intent, but still fraud and abuse is a critically important part of the story.

We need to consider very carefully what made our financial system so vulnerable to criminal abuse. One answer is that people simply did not believe that they would be caught or prosecuted for looting an S&L, and I think this is a problem that is not confined to the S&L's.

I have been astonished to learn about the significant instance of incidents of fraud in banks that we're hearing about, fraud against still open thrift institutions, and it is a far more widespread occurrence than I believe any of us had realized until the testimony we received here.

I certainly hope that the increased penalties in FIRREA and the still further increases in thrift fraud penalties in the amendment to the Crime Bill, in which the Senator from Pennsylvania played a leading role with other members of the committee, will send the right message that the Federal Government is serious about bank fraud.

The real point of thrift prosecutions is to protect the financial system in the future. If we can recover some of the ill-gotten gains and reduce taxpayer expenditures for the thrift bailout, that's wonderful, and that's an important step that we ought to take, but deterrence and punishment should be the real goal. Bank fraud is not a victimless crime. We need to ensure that those who looted the S&L's are appropriately punished.

I thank the Chairman again and look forward to the testimony of the witnesses.

The CHAIRMAN. Thank you very much, Senator Bond.

Senator D'Amato.

OPENING STATEMENT OF SENATOR D'AMATO

Senator D'AMATO. Mr. Chairman, you know, we've really reached a point today where we understand that the significance of the losses are so monumental that the public is looking to hold someone accountable. That someone indeed are the regulators, and there is no doubt that they absolutely dropped the ball, and they did it with the commercial banks, too. We've been covering that up for years. Whether it be their foreign debts and loans that they continue to allow to be written off and now we're beginning to come forward with some reserves, it has been going on for years, or whether it be the situation which totally was lost sight of as it relates to the thrifts because so many and such a great percentage of the losses take place with the State chartered thrifts and therefore maybe the regulators were much less vigilant than they should have been.

But, you know, this thing has reached a frenzy now, and we're really saying that somebody who comes in with a weapon does not present a greater danger, and you may say in terms of loss, but in terms of life and what-not. Why don't we say that we're going to hang people for fraud or cut off their hands.

I mean I'm going to vote for every piece of this legislation, too. Have we really reached that protect ourselves syndrome to the point that we're really saying life in prison if you commit a bank fraud? There are other frauds, too. Should we say that for all frauds? I'm not saying we shouldn't. I'm afraid to. I'm for it. I'm for, you know, life in prison and torture. Would that make it better? I mean really, I can be tougher than the next guy.

So let's examine it, and if we're going to fix responsibility, there are lots of people, and it starts with I think first with the regulators who allowed this thing to go on, who did not come to us in the manner in which they should have, but that goes back for years, and some of them didn't pick up. Then it goes to us, those of us in the Congress and to the administration.

By the way, are we really serious, you know, let's get all the money back that we can get back. Sure we should, but I look and I see some of the results that my staff points out in the Texas Strike Force Team that they've had since 1988, the Justice Department. They've got $10 million in fines or penalties, and they collected $24,000.

Obviously, it's one thing to say we're going to get the money back. Well, most of this money you're not going to get back, and I think our witnesses are going to testify as to the schemes and the manners, and a lot of it was lost just because of plain stupidity and wild wheeling and dealing kinds of speculative ventures that just simply were not controlled and, sure, living high on the hog.

And, yes, the incidents of fraud, if you took the total dollars, they would be significant as it relates to the percentage of the billions of dollars, tens of billions of dollars of losses. We have had some people, and the next time you quote somebody you should say who the person is because I don't want to say a leading industry analyst. Do you know who it is?

But when you have some people come in and say it's 3 percent, well 3 percent, if it's going to be $500 billion, and I don't know what it is, you know, we play these up and down games, it's still a lot of money. It's $15 billion. Some people say it's 33 percent. I would like to know.

Oh, Bert Ely, he is the leading industry analyst. He says 3 percent.

Well, if it's 5 percent it's a lot. But what is it? Is it 3 percent, is it 5 percent, is it 10 percent? What are we classifying as for what? Do we take the case of the guy who spent $24 million on art and other things? That's fine, and that sticks out in the minds of the public. Is that really where they lost the money, and how much of the wheeling and dealing did we see where there was absolutely out and out fraud.

So I think it would be a good idea to get a handle on it, and I also think that it really comes down to we've got to see to it that we have regulators and a system that brings about accountability, and we should not be putting Federal guarantees up for every single thing that moves, and that's really the problem.

Then if guys want to wheel and deal and people are investing, that's a different matter, but taxpayers shouldn't be backing that up.

So, again, I want to commend the Chairman, and I want to commend Senator Bond for making it possible for us to look at this thing, and hopefully in a manner which is less inflammatory than we've seen because we have seen a lot of smoke and a lot of puffing, and whoever can get on that TV and make the situation worse and talk about higher penalties, you know, it seems that he or she thinks that they are doing themselves at least some good, but I don't know what they are doing for the public except inflaming them, and I don't think you have to inflame them any more because they are pretty angry and they have a right to be.

Thank you, Mr. Chairman.

The Chairman. Thank you, Senator D'Amato.

Senator Pressler.

OPENING STATEMENT OF SENATOR PRESSLER

Senator Pressler. Mr. Chairman, I look forward to hearing the witnesses.

One area, and I have read the prepared statement from the GAO, but one area that I will be listening closely to any additional comments, on page 2 of their testimony they point out that these investigations are labor intensive and a great deal of time, some of them several years, is required to complete a thorough investigation and obtain an indictment.

This leads us to the issue perhaps not addressed in this of the statute of limitations or statute of repose or whatever it's called. Now I know that in the FIRREA legislation the statute of limitations was extended from 5 years to 10 years. But I would like some analysis of what that means, labor intensive. Obviously it means a lot of very talented people have to work on it for a long time.

But is the statute of limitations a fair thing and are we missing a lot of people who get beyond the statute of limitations. I mean it's talking about the commission of the crime and not the discovery of the crime or the alleged crime.

So, Mr. Chairman, I look forward to hearing the testimony.

The Chairman. Very good.

We are going to start with Mr. Richard Fogel, who is here representing the General Accounting Office.

Mr. Fogel, we'll make your full statement a part of the record, and we would like your summary comments at this time.

STATEMENT OF RICHARD FOGEL, ASSISTANT COMPTROLLER GENERAL, GENERAL GOVERNMENT DIVISION, U.S. GENERAL ACCOUNTING OFFICE, WASHINGTON, DC, ACCOMPANIED BY JAMES BUROW, ASSISTANT DIRECTOR, GENERAL GOVERNMENT DIVISION, U.S. GENERAL ACCOUNTING OFFICE

Mr. FOGEL. Thank you very much, Mr. Chairman.

We are pleased to participate in this hearing.

During the last 4½ years 831 banks and 515 thrifts have failed and been resolved. Another 247 thrifts were in the RTC's conservatorship program as of June 30, 1990.

No one knows exactly how great the role of fraud has been in the failure of thrifts and banks. Indeed, as the Senators have said, there are estimates that range from as high as 40 percent to much lower.

One of the difficulties with estimating the extent of fraud in depository institutions is determining if and when suspect activities crossed the fine line between just poor business judgment and fraud.

Financial institution fraud cases, as Senator Pressler pointed out, we say typically involve complex transactions that must be thoroughly investigated. Investigators and prosecutors must often sift through thousands of documents just to determine whether a criminal offense has occurred. Thus, these investigations are labor intensive and a great deal of time is required to complete a thorough investigation and obtain an indictment.

FDIC and RTC are authorized to initiate civil suits in instances where improper conduct of professionals associated with failed institutions is uncovered. The agencies are responsible for investigating all failed institutions to determine the merit of pursuing civil professional liability suits. As of July 1990, both FDIC and RTC, were involved in about a total of 500 civil professional liability suits, which include actions against directors, officers, other professionals and their insurers, as well as interventions in shareholder actions.

If the regulators and the financial institutions they regulate suspect criminal activities, they refer these suspicions to the FBI for investigation and to a U.S. attorney for possible prosecution. These referrals are submitted on a standardized criminal referral form. The regulatory agencies, however, use different criteria for keeping records on the criminal referrals they and the institutions make, so we cannot get an accurate count of the number of referrals.

OTS, for example, logs all referral forms, the Federal Reserve System logs referrals by individual suspects as opposed to the number of referral forms and OCC logs referral forms involving an estimated loss of over $200,000, a bank insider or some other significant circumstances.

Well, the FBI investigates and U.S. attorneys prosecute those referrals having merit. Now even though the FBI headquarters tracks all investigations field offices have underway, there is no accounting within the Bureau for the criminal referral forms received.

Now starting in October of this year the FBI plans to begin keeping a record of each referral and providing feedback to the regulatory agencies on any action taken. The FBI did report though that as of February 1990 it had 7,097 financial institution fraud investigations underway. Of these, 3,027 were major investigations involving potential dollar losses of $100,000 or more.

FBI field offices determined through a manual search that as of February 1990 they had a total of 21,147 criminal referrals relating to financial institution fraud that the FBI really hadn't even looked at. In other words, they had about 7,000 ongoing investigations, but they had 21,000 other referrals that they hadn't looked at yet.

Now these referrals may not meet U.S. attorneys' priorities for investigation. They may need further investigation to determine whether they involve a Federal violation or await a determination concerning whether they should be prosecuted under a specialized prosecution program for simple cases.

The point though is that some of these referrals may be worth pursuing, and the FBI has decided that during August it is going to review all these referrals to decide what action to take on them.

I would now like to turn to the prosecution of these violations. As the table on page 7 of my testimony shows, U.S. attorney offices filed criminal charges in 2,336 cases relating to financial institution fraud against 2,749 defendants in fiscal 1989. The figure also shows that U.S. attorney activities in this area has been increasing steadily since fiscal year 1985.

During the same period, U.S. attorneys obtained convictions for financial institution fraud against 9,374 defendants, and as the chart on page 8 shows, convictions like charges appear to be increasing. Now it should be also noted that only 150 defendants were acquitted. So the Government has a very positive record when it goes after these people.

With regard to criminal restitution, we were unable to obtain complete, reliable data on restitution recoveries for financial institution fraud. The FDIC did provide us some data for recoveries from thrifts from 1987 through April of this year. It shows that about $203 million in restitution has been ordered during this period, while approximately $15 to $16 million was recovered. Since the restitution is not due often until years after conviction, these recoveries aren't necessarily the result of the restitutions ordered during that period of time.

As we all know, the full cost of thrift failures, including interest costs, could be as much as half a trillion dollars. The taxpayers will have to pay for most of it. More significantly, portions of the total cost are yet to be fully established. One category of losses where the potential exists for significant additional losses, for example, is the likely fallout from past transactions made with the acquirers of failed thrifts, in particular the group of transactions concluded in 1988.

Some $50 billion of the total estimated loss from failed thrifts could result from these actions. The Chairman and other members of this committee first asked us in October 1988 to examine the structure and costs of these transactions as well as the bidding and selection process. We reported to you in early 1989 that we had serious concerns about the cost and risk exposure to the Government of these transactions.

One of our major concerns was that the selection process was not adequately documented, and we could not assure the committee that the most cost-effective resolutions were reached.

You asked us to further review the circumstances of the selections. We subsequently confirmed that the lack of documentation prevented us from giving you such assurances given the limited nature of our work. We have attached a chronology of our work on these transactions.

The important thing though is as a result of work we and others did, the committee and the House put in FIRREA, two key provisions, one requiring that RTC restudy the cost of the deals and, second, that RTC study the bidding and negotiation processes for these transactions to determine whether they were sufficiently competitive and report the results of that study to the Congress. It is extremely important that RTC do this study, which is presently underway, well. It should be comprehensive, be given high priority within RTC and be adequately coordinated with the Justice Department and the appropriate congressional committees.

But the potential for still further increases in total losses we believe contributed to pressure on Justice to expand its efforts. In March 1989 Justice surveyed the FBI and U.S. attorney offices to determine what additional resources they felt they needed to deal with financial institution fraud. The FBI said they needed about 425 additional agents and the U.S. attorneys said they needed about 230 additional assistant U.S. attorney. Before FIRREA was passed, the FBI spent about 400 work years annually in this area, and the U.S. attorneys estimated they spent about 200 work years.

FIRREA authorized $75 million each year for fiscal years 1990, 1991 and 1992 to enhance Justice's efforts against financial institution fraud. Of the $75 million, $65 million was for investigation and prosecution of financial institution fraud and the other $10 million was for civil proceedings.

In December 1989 the Congress appropriated $49 million as requested by the administration, for strengthening Justice's investigation and prosecution of financial institution fraud. Now according to Justice, this $49 million supported 153 more FBI agents, 118 assistant U.S. attorneys, 24 Fraud Section attorneys, 100 FBI accounting technicians and six Tax Division attorneys. As of June 1990 most of these positions were filled.

Justice asked for an increase of about 68 FBI positions and 60 positions for the Civil Division for financial institution fraud for 1991, but no increase in assistant U.S. attorney positions. In total, Justice advises us that it's 1991 budget seeks about $55 million of the $75 million authorized for financial institution fraud.

The Department has also responded in other ways to the problem. In October 1986 the U.S. attorney in Dallas said he needed more resources to address the massive thrift and fraud crisis. In 1987 Justice established the Dallas Bank Fraud Task Force.

This past month or about 2 months ago rather, Justice created the position of Special Counsel for Financial Institution Fraud to be a focal point for Justice's efforts in this area.

In December of last year the Attorney General announced the allocation of resources to establish task forces in 27 cities across the country for investigating and prosecuting financial institution fraud, and he allocated over 300 FBI agents and assistant U.S. attorney positions to this effort.

The regulatory agencies recently compiled lists of those institutions they believe Justice should focus on. For example, OTS has a Top 100 list that it has announced that they have referred to Justice. According to an OTS official, OTS compiled this list on the basis of a review of the most significant referrals and gave it to Justice in July 1990.

U.S. attorney and FBI officials we spoke to said the OTS list and the lists compiled by the other regulatory agencies though would probably not have a significant effect on their ongoing investigations and prosecutions because most of the institutions on the list already have high priority. However, they said they would reevaluate cases involving the institutions appearing on the list that have not been given high priority.

Well, determining whether the Federal response to financial institution fraud has been sufficient is difficult. The extent to which fraud has occurred is not easily ascertained, nor is a clear picture readily available showing what impact current efforts are having. We do see strong indications that the Justice Department is gearing up to and deploying resources now for increased effort against financial institution fraud. However, we are concerned that in focusing more systematically on fraud that Justice may not be giving sufficient attention to two areas.

One, it lacks a mechanism which would allow the newly appointed Special Counsel, to readily access the key information needed to effectively oversee and coordinate the Federal Government's efforts to pursue financial institution fraud. This information is needed to determine, overall as well as by type of financial institution, how well the efforts are proceeding, what more needs to be done, where it needs to be done and what further resources are actually needed.

Also, Justice and the regulatory agencies need to pay close attention to whether their newly expanded coordination initiatives are having the intended results by concentrating resources on the top priority targets and determining the best way to proceed against these targets.

In any event, the number, magnitude and complexity of fraud cases may demand further infusion of resources, and we believe it's important for the Congress to continue to monitor these initiatives and require Justice to report regularly on the results achieved.

[The complete prepared statement of Richard Fogel follows:]

United States General Accounting Office

GAO

Testimony

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Savings and Loan Crisis: Federal Response to Fraud in Financial Institutions

Statement of
Richard L. Fogel
Assistant Comptroller General
General Government Programs

Before the Committee on Banking,
Housing and Urban Affairs
United States Senate

GAO Form 160 (12/87)

Savings and Loan Crisis: Federal Response to Fraud In Financial Institutions

SUMMARY OF STATEMENT BY
RICHARD L. FOGEL
ASSISTANT COMPTROLLER GENERAL
U.S. GENERAL ACCOUNTING OFFICE

GAO estimates that losses from thrift failures could be as much as $500 billion in the next 40 years. Though the extent to which fraud contributed to or caused thrift and bank failures is not known, fraud has played a significant role.

Our review to date indicates that the Justice Department and other federal agencies have been actively pursuing this fraud. U.S. attorneys, for example, are in the process of prosecuting thousands of financial institutions' officers, directors, major borrowers, accounting firms, law firms, and others. The number of successful prosecutions is growing.

Furthermore, on its own initiative and in response to congressional action, Justice is stepping up its efforts by adding and redeploying resources to concentrate more on financial institution fraud. Initiatives recently announced by Justice and the financial regulatory agencies are promising. New task forces are being established. Priority lists have been developed. A Special Counsel for Financial Institution Fraud has been appointed in Justice.

It is too early to tell what impact these actions will have. Moreover, GAO's assessment raises some concerns. One concern is that, although Justice is focusing more systematically on financial institution fraud, it may not be giving sufficient attention to two areas:

-- Justice lacks a mechanism that would allow the newly appointed Special Counsel for Financial Institution Fraud to readily access the key information needed to determine how well the efforts are proceeding, what more needs to be done, where it needs to be done, and what further resources are actually needed.

-- Justice and the agencies referring instances of suspected fraud need to ensure that their newly expanded coordination initiatives are actually leading to the concentration of resources on top priority targets and in determining the best way to proceed against these targets.

GAO is also concerned that the number, magnitude, and complexity of fraud cases may demand further infusion of resources. The Congress should continue to monitor new initiatives and require Justice to report regularly on the results achieved. Congress could then better assess the investigative and prosecutorial resources needed and the effectiveness of interagency coordination for this critical effort.

Mr. Chairman and Members of the Committee:

We are pleased to participate in your hearing on the federal response to fraud in depository institutions. As you requested, my testimony today will cover (1) what we have learned about the extent of fraud in failed and open depository institutions; (2) what the federal response has been to the fraud, including recent Justice Department initiatives; and (3) our assessment of the response to fraud in depository institutions as we see it today.

EXTENT OF FRAUD IN FAILED AND OPEN DEPOSITORY INSTITUTIONS

During the last 4 1/2 years, 831 banks and 515 thrifts have failed and have been resolved. Another 247 thrifts were in the Resolution Trust Corporation's (RTC) conservatorship program as of June 30, 1990. These failures have been attributed to economic problems; deregulation of the thrift industry and inadequate supervision; poor management in the institutions; and fraudulent activities on the part of officers, directors, borrowers, accounting and law firms, and others associated with the depository institutions. Many of these same factors threaten the solvency of many open institutions and will probably result in additional failures.

No one knows exactly how great the role of fraud has been in the failure of thrifts and banks, nor the extent to which it is occurring in open institutions. RTC suspects that fraud or criminal activity on the part of directors, officers, or senior managers contributed to the failure of 40 percent of the thrifts it has investigated. Ely and Co., savings and loan consultants, have offered a rough estimate that 3 percent, or $5 billion of the $147 billion in thrift losses have been caused by "crooks." The Federal Deposit Insurance Cooperation (FDIC) estimates that fraud on the part of directors, officers, or senior managers contributed to 13 to 18 percent of bank failures. One of the difficulties with estimating the extent of fraud in depository institutions is determining if and when suspect activities crossed the fine line between poor business judgment and fraud.

Financial institution fraud cases typically involve complex transactions that must be thoroughly investigated. Investigators and prosecutors often must sift through thousands of documents just to determine whether a criminal offense has occurred. Thus, these investigations are labor intensive and a great deal of time (sometimes several years) is required to complete a thorough investigation and obtain an indictment. The more creative criminals are in covering the "paper trail" of their crimes, the more arduous this task becomes. Also, prosecutors are faced with the task of proving that the paper trail establishes beyond a reasonable doubt that a criminal violation was committed and that the accused was guilty.

FEDERAL RESPONSE: BASELINE ACTIVITY LEVELS

The federal bank and thrift regulators--FDIC, the Office of the Comptroller of the Currency (OCC), the Federal Reserve System, and the Office of Thrift Supervision (OTS)--are the federal government's first line of defense against illegal activities and/or wrongdoing associated with banks and thrifts. The regulators are responsible for examining and supervising banks and thrifts to ensure that they are operating in a safe and sound manner and in compliance with applicable laws and regulations. The nature of the institution's charter determines which regulatory agency has federal oversight responsibility for the institution. RTC also plays a role in identifying fraud and wrongdoing in failed thrifts.

FDIC and RTC are authorized to initiate civil suits in instances where improper conduct of professionals associated with failed institutions is uncovered. The agencies are responsible for investigating all failed institutions to determine the merit of pursuing civil professional liability suits. As of July, 1990, FDIC and RTC were involved in about 500 civil professional liability suits, which include actions against directors, officers, other professionals, and their insurers, as well as interventions in shareholder actions.

In instances where criminal activities are suspected, the regulators and the financial institutions they regulate are to refer these activities to the FBI for investigation and to a U.S. attorney for possible prosecution. These referrals are submitted on a standardized criminal referral form. The regulatory agencies use different criteria for keeping records on the criminal referrals they and the institutions make, so we could not get an accurate count of the number of referrals. Nevertheless, we found that:

-- OTS logs all referral forms. OTS logs showed 5,014 referrals in 1989 and 2,785 through June 1990.

-- The Federal Reserve System logs referrals by individual suspects as opposed to the number of referral forms. They logged referrals on 3,239 individuals in 1989 and 1,445 individuals through June 30, 1990.

-- OCC logs referral forms involving an estimated loss of over $200,000, a bank insider, or some other significant circumstance. OCC logs showed 824 referrals in 1989 and 637 referrals through June 30, 1990.

-- FDIC logs referral forms involving estimated losses exceeding $10,000 or a bank director, officer, or principal shareholder. FDIC logs showed 938 referrals in 1989 and about 798 referrals through July 11, 1990.

-- The RTC system for maintaining criminal referral data is not yet operational. RTC estimates that it has submitted about 200 referral forms since August 1989.

Within the Justice Department, the FBI investigates and U.S. attorneys prosecute those criminal referrals having merit. The FBI also begins investigations based on information from other sources (informants and other members of the public).

The FBI headquarters tracks all investigations field offices have underway, but there is no accounting for the criminal referral forms received. In October of this year the FBI plans to begin keeping a record ot each referral and providing feedback to the regulatory agencies on any action taken. The FBI had 7,097 financial institution fraud investigations underway as of February 1990.

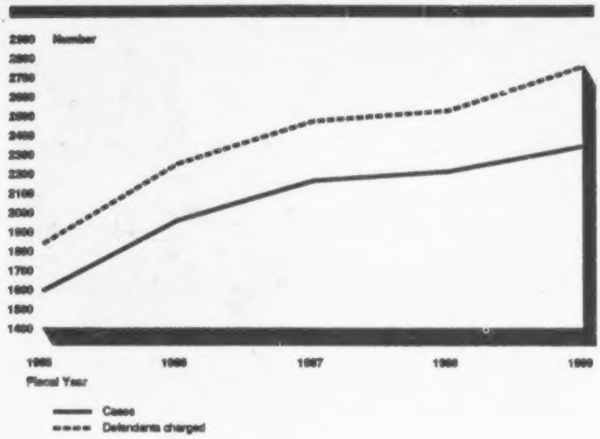
Of the investigations underway as of February 1990, 3,027 were major investigations involving potential dollar losses of $100,000 or more. Further, of the major investigations, 2,278 involved banks (276 were failed banks), 654 involved thrifts (234 were failed thrifts), and 95 involved credit unions (20 were failed credit unions).

FBI field offices determined through a manual search that as of February 1990, they had 21,147 criminal referrals relating to financial institution fraud on file that the FBI calls "unaddressed referrals." Unaddressed referrals (1) may not meet the U.S. attorneys' priorities for investigation, (2) may need further investigation to determine whether they involve a federal violation, or (3) await a determination concerning whether they should be prosecuted under a specialized prosecution program for simple cases. Furthermore, some of these referrals may replicate or relate to other referrals or relate to ongoing investigations. Some of these referrals may be worth pursuing. The FBI plans to review these referrals this month to determine what action to take on them.

I would like to turn to the prosecution of these violations. Although the U.S. attorneys receive information on all referrals, they are generally not brought into the case until the FBI believes it has determined criminal activities have occurred. As of February 28, 1990, the U.S. attorney offices had 5,862 matters and 1,489 cases pending involving 7,992 and 1,920 defendants, respectively. (A matter is an item being reviewed to determine if an indictment or information should be filed.)

As shown in figure 1, in fiscal year 1989 the U.S. attorney offices filed criminal charges in 2,336 cases relating to financial institution fraud against 2,749 defendants. The figure also shows that U.S. attorney activities have been increasing steadily between fiscal years 1985 and 1989. In addition, U.S. attorneys filed charges in 794 cases against 970 defendants in the first 5 months of fiscal year 1990.

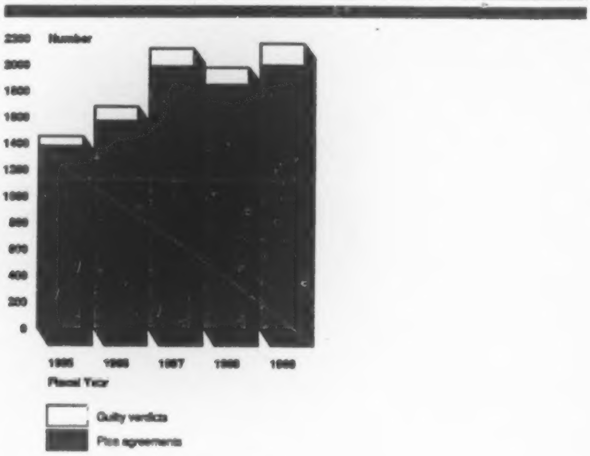
Figure 1: Criminal Charges Filed by U.S. Attorneys in Financial Institution Fraud Cases



Source: Executive Office for United States Attorneys.

During the same time period, the U.S. attorney offices obtained convictions for financial institution fraud against 9,374 defendants (8,763 plea agreements and 611 guilty verdicts). Figure 2 shows that convictions, like charges being filed, appear to be increasing. It should be noted that only 150 defendants were acquitted. In addition, the U.S. attorneys obtained convictions against 787 defendants (745 plea agreements and 42 guilty verdicts) in the first 5 months of fiscal year 1990.

Figure 2: Convictions Obtained by U.S. Attorneys in Financial Institution Fraud Cases



Source: Executive Office for United States Attorneys.

It should also be noted that Justice tracks the results of the Criminal Division's Dallas Bank Fraud Task Force separately from those of the U.S. attorney offices. Between August 1987 and June 1990, the Dallas Bank Fraud Task Force brought charges against 77 defendants and obtained convictions of 54 defendants. For the remaining 23 defendants, 2 were acquitted, and charges are still pending against 21 individuals. As of June 1990, the task force had 42 separate thrifts under investigations; these investigations involved 560 suspects.

With regard to criminal restitution, we were unable to obtain complete, reliable data on restitution recoveries for financial institution fraud. However, FDIC provided us with data on such recoveries for thrifts for 1987 through April 1990. The data showed $202.8 million in restitution ordered during this period, while approximately $15 to $16 million was recovered. Since restitution often is not due until years after conviction, these recoveries are not necessarily a result of restitutions ordered during the period and therefore can not be used to calculate a percentage of restitution recovered. FDIC staff are currently developing methods to collect more detailed and accurate information on recoveries of criminal restitution.

JUSTICE DEPARTMENT RESPONSE TO PRESSURE FOR INCREASED ACTIVITY

The full cost of thrift failures, including interest costs, could be as much as $500 billion. The taxpayers will have to pay for most of it.

Moreover, significant portions of the total cost are yet to be fully established. One category of losses where the potential exists for significant additional losses, for example, is the likely fallout from past transactions made with acquirers of failed thrifts, in particular the group of transactions concluded in 1988.

Some $50 billion of the total estimated loss from failed thrifts is for assistance to the acquirers of some 181 failed thrifts sold to 79 acquirers by the Federal Savings and Loan Insurance Corporation (FSLIC) in 1988 and early 1989.

You and other members of this Committee first asked us in October 1988 to examine the structure and costs of these transactions, as well as the bidding and selection process.

We reported to you in early 1989 that we had serious concerns about the cost and risk exposure to the government of these costly transactions. One of our major concerns was that the selection process was not adequately documented; we could not assure your Committee that the most cost-effective resolutions were reached. You asked us to further review the circumstances of the selections. We subsequently confirmed that the lack of documentation prevented us from giving you such assurances, given the limited nature of our work. (A chronology of our work on these transactions is attached.)

The Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) requires RTC to study the bidding and negotiation processes for these transactions, determine whether they were "sufficiently competitive," and report to Congress. It is extremely important that this RTC study, which is presently ongoing, be well done. It must be comprehensive, be given high priority, and be appropriately coordinated with Congress and Justice.

The potential for still further increases in the total losses resulting from thrift and bank failures of the 1980s has contributed to pressure on Justice to expand its efforts.

Congress and the administration have increased the resources allocated to financial institution fraud, although the full effects of these additional resources have not yet been felt.

In March 1989, Justice surveyed the FBI and U.S. attorney offices to determine what additional resources those offices needed for dealing with financial institution fraud. The survey identified the need for 425 additional FBI agents and 231 additional assistant U.S. attorneys. Before FIRREA was passed, the FBI spent about 400 work years annually investigating financial institution fraud. U.S. attorneys estimated that they were devoting about 200 work years annually to prosecute financial institution fraud cases.

FIRREA authorized $75 million each year for fiscal years 1990, 1991, and 1992 to enhance Justice's efforts against financial institution fraud. Of the $75 million, $65 million was for investigation and prosecution of financial institution fraud. The other $10 million was for civil proceedings. In December 1989, Congress appropriated $49 million, as requested by the administration, for strengthening Justice's investigation and prosecution of financial institution fraud. According to Justice officials, the $49 million appropriated in December 1989 was used to support

-- 153 FBI agents (49 additional positions were allocated to financial institution fraud using other FBI funds),

-- 118 assistant U.S. attorneys,

-- 24 Fraud Section attorneys,

-- 100 FBI accounting technicians, and

-- 6 Tax Division attorneys.

As of June 1990, most of the positions were filled.

For fiscal year 1991, Justice asked for an increase of 68 FBI positions and 60 positions in the Civil Division for financial institution fraud, but no increase in assistant U.S. attorney positions. In total, the 1991 Justice budget seeks about $55 million of the $75 million authorized for financial institution fraud. This will cover the persons added in fiscal year 1990 and the new positions requested. Various legislative proposals currently being considered by Congress call for authorizing from $25 million (this is in addition to the $75 million already authorized by FIRREA) to as much as $162.5 million for additional investigators and prosecutors targeted at financial institution fraud.

The federal government has responded in a variety of other ways to punish those who have defrauded financial institutions.

Dallas Bank Fraud Task Force--In October 1986, the U.S. Attorney in Dallas said he needed more resources to address the massive thrift and bank fraud crisis. In August 1987, Justice established the Dallas Bank Fraud Task Force, using existing Criminal Division resources and the resources of other agencies to supplement the work of the U.S. attorney office. This task force is directed by Justice's Fraud Section. As of July 1990, the task force included 16 Fraud Section attorneys, 7 assistant U.S. attorneys, 3 Tax Division lawyers, 41 FBI agents, 17 IRS agents, and 3 OTS examiners. I have already noted above the accomplishments of the task force.

Creation of a Special Counsel for Financial Institution Fraud--Justice recently created the position of Special Counsel for Financial Institution Fraud to be the focal point for Justice's efforts in this area. The role of the Special Counsel, who reports to the Deputy Attorney General, is to ensure that resources are allocated to the most significant cases, ensure good coordination between Justice and the thrift and bank regulatory agencies, and track and maintain data on civil and criminal enforcement actions.

As part of his efforts to achieve these goals, the Special Counsel plans to meet with U.S. attorney office officials to discuss the status of their financial institution fraud cases. The Special Counsel expects that through this review, he will identify cases that need more attention by the U.S. attorney or that would be more appropriately pursued through civil litigation. He also expects to gain a better understanding of where resources are needed.

To effectively oversee and coordinate the government's efforts to pursue financial institution fraud, the Special Counsel needs to have access to detailed and timely information on enforcement activities. Currently, there is no centralized system that maintains these data. To obtain such information as the type and number of financial institutions involved, estimated losses, number of defendants charged, sentences and restitution ordered, and fines imposed, each U.S. attorney office had to do a manual search of its files. The Special Counsel then had to tabulate this information. The Special Counsel said he may computerize data on priority cases to facilitate his review.

27 City Task Force Attack--On December 7, 1989, the Attorney General announced the allocation of resources to establish task forces in 27 cities across the country for investigating and prosecuting financial institution fraud. He allocated over 300 FBI agent and assistant U.S. attorney positions to the task forces, most of which were from increased staffing levels authorized under FIRREA. The task forces were to be modeled after the Justice Department's Dallas Bank Fraud Task Force.

We spoke with officials in U.S. attorney offices in five of the cities where these task forces were to be established. All had been notified of their increased allocations through a Telex issued by the Executive Office for U.S. Attorneys on December 7, 1989. (Most of these positions have been filled.) Officials in four offices told us that they had established task forces of some form on their own initiatives.

The Special Counsel may also assume supervision of some task forces. According to the Special Counsel, in the unlikely event that a U.S. attorney fails to aggressively pursue financial institution fraud--and is unresponsive to headquarters' insistence on stepped-up efforts--the Special Counsel may take control of task force resources to ensure financial institution fraud cases are properly pursued.

Compilation of Priority Lists--The regulatory agencies recently compiled lists of those institutions they believe Justice should focus on. The aim of the lists is to identify certain institutions for priority investigation and prosecution.

I would like to talk about OTS' "Top 100" list for a moment, since it has received considerable publicity. According to an OTS official, OTS compiled the list on the basis of a review of its most significant referrals and gave it to Justice on July 5, 1990. U.S. attorney and FBI officials we spoke to said the OTS list and the lists compiled by the other regulatory agencies would probably not have a significant effect on their ongoing investigations and prosecutions because most of the institutions on the list already had high priority. However, they also said that they would reevaluate cases involving the institutions appearing on the lists that have not been given high priority in their offices.

IS THE FEDERAL RESPONSE ENOUGH?

Determining whether the federal response to financial institution fraud has been sufficient is difficult. The extent to which fraud has occurred is not easily ascertained, nor is a clear picture readily available showing what impact current efforts are having. We do see strong indications that the Justice Department is gearing up to and deploying resources for increased effort against financial institution fraud. However, we are concerned that in focusing more systematically on this fraud, Justice may not be giving sufficient attention to two areas:

-- Justice lacks a mechanism that would allow the newly appointed Special Counsel to readily access the key information needed to effectively oversee and coordinate the federal government's efforts to pursue financial institution fraud. This information is needed to determine, overall as well as by type of financial institution, how well the efforts are proceeding, what more needs to be done, where it needs to be done, and what further resources are actually needed. The new Special Counsel relied on each of the U.S. attorney offices to manually collect data on closed and ongoing cases addressing thrift fraud and bank fraud. For information on unaddressed criminal referrals, he would have to have the FBI field offices manually search their files.

-- Justice and the regulatory agencies need to pay close attention to whether their newly expanded coordination initiatives are having the intended results by concentrating resources on the top priority targets and determining the best way to proceed against these targets. Justice and the regulatory agencies have long recognized the need for coordination, given the significant differences in their respective roles and responsibilities. Still, no clear picture has yet emerged depicting how well the agencies are doing overall to identify, investigate, and prosecute financial institution fraud. Over the past several months, however, a number of efforts to improve coordination have been launched. Priority lists of institutions targeted for investigation and prosecution have been developed by the regulatory agencies. The new Special Counsel has recently begun efforts to enhance coordination between the regulatory agencies, the FBI, and the U.S. attorneys. The FBI plans to begin providing feedback to the regulatory agencies on any action taken on each criminal referral submitted by these agencies. While these initiatives are a start, it is too early to determine whether they will be sufficient.

In any event, the number, magnitude, and complexity of fraud cases may demand further infusion of resources. Congress should continue to monitor these initiatives and require Justice to report regularly on the results achieved. Congress could then better assess the adequacy of both investigative and prosecutorial resources and the effectiveness of interagency coordination.

This concludes my testimony. I would be pleased to answer any questions.

CHRONOLOGY OF MAJOR EVENTS IN GAO's WORK FOR THE SENATE BANKING COMMITTEE ON THE FSLIC 1988 DEALS

10/20/88	Senators Riegle, Graham, Wirth, Sasser, Chiles, and Proxmire ask GAO to select five FSLIC-assisted transactions and to examine them with respect to the (1) bidding and selection process and (2) terms and structure of the transactions (including related cost, viability analyses, and FSLIC risk exposure). GAO is also asked to provide comparable data on the background and experience of the senior officials of the Federal Reserve Board, OCC, FDIC, and FHLBB.
11/03/88	GAO sends a confirmation letter in response to the six Senators' 10/20/88 letter identifying the five transactions selected and detailing the issues to be addressed.
12/30/88	Senator Riegle asks GAO to examine FSLIC's December 1988 transactions, focusing on the bidding and selection process, the structure of the transactions, and the tax costs.
01/89	GAO and Senate Banking Committee agree to merge the October and December 1988 requests and to focus the GAO work in response to the latter request on 5 Southwest Plan transactions and 2 other transactions. GAO is to testify on the results of this work in March 1989.
03/03/89	GAO writes to the six Senators with information on the background and experience of senior officials at the FRB, OCC, FDIC, and FHLBB in response to their 10/20/88 request letter.
03/14/89	GAO testifies before the Senate Banking Committee on "Failed Thrifts: GAO's Analysis of Bank Board 1988 Deals."
03/14/89	During the hearing, the Committee Chairman, in reaction to GAO's comments on the lack of adequate documentation, asks GAO to continue work on the selection of acquirers.
03/14/89	Senators Riegle and Cranston jointly ask GAO to answer 11 questions relating primarily to FDIC.

Question 8, however, asks GAO to compare the strengths and weaknesses of a FSLIC and an FDIC assisted transaction.

03/89 The Committee Chairman asks GAO to respond for the March 14 hearing record to 17 questions related to the FSLIC transactions and the administration's proposal to resolve the thrift crisis and restructure the thrift industry.

Question 6 asked: "Do you observe any patterns of favoritism in the deals made last year. I am particularly interested in cases where former insiders from the Federal Home Loan Bank System purchased failed thrifts or acted in some capacity to help arrange the deals. In how many of last year's deals were former senior Bank Board officials involved? Did they benefit from inside information in those deals?"

Question 7 asked: "Please suggest standards and offer guidelines for the maintenance of adequate records regarding the deals."

Question 15 asked: "FSLIC contends that the thrift institutions resulting from FSLIC's December 1988 assisted acquisitions are adequately capitalized -- despite having a low ratio of capital to total assets -- because much of the institutions' assets consist of FSLIC notes and FSLIC-guaranteed assets, which are categorized as involving little or no credit risk. Do you agree? Has FSLIC succeeded in banishing the moral hazards of low capital, such as the incentives to take excessive risks?"

04/07/89 GAO responds to Senators Riegle's and Cranston's 3/14/89 request. The response to question 8 provides a summary description of FDIC's NCNB Texas transaction and FSLIC's First Gibraltar transaction. (The GAO response is included in the hearings record--S. HRG. 101-127, Part IV, pp. 320-333.)

04/07/89 GAO responds to the 17 questions for inclusion in the testimony record. (The GAO response is printed in the hearings record--S. HRG. 101-127, Part IV, pp. 334-353.)

05/31/89 GAO officials brief Senate Banking Committee staff on the results to date of GAO's Office of Special

	Investigations work on FSLIC's sale of thrifts to acquirers.
08/09/89	FIRREA requires GAO to monitor the FSLIC deals and to estimate their cost. GAO subsequently initiated these studies.
01/25/90	GAO testifies before the House Banking Committee on the preliminary results of its FIRREA-required monitoring work. GAO says that FDIC is not giving sufficient attention to its management of the FSLIC deals and identifies three areas where improvements are needed.
03/29/90	GAO refers items related to failed S&Ls to the Department of Justice. (Office of Special Investigations field work on the FSLIC deals ended in late 1989.)
04/02/90	GAO testifies before the House Banking Committee on differences between the RTC and FSLIC 1988 resolutions in terms of bidding and selection approaches and structure.
04/06/90	GAO testifies before the Senate Banking Committee on the cost of the S&L crisis resolution. Estimated costs of the FSLIC Resolution Fund, which includes the cost of the FSLIC 1988 deals, are included. The FIRREA-required report on cost of 1988 FSLIC deals will be issued this summer.
04/26/90	GAO writes Senator Riegle summarizing past and ongoing work on the FSLIC deals for the Senate Banking Committee, as well as the status of the two RTC studies of these deals that were required by FIRREA.
07/19/90	GAO issues report "Failed Thrifts: FDIC Oversight of 1988 Deals Needs Improvement"

The CHAIRMAN. I think we are going to pose some questions to you right now before we go to our other witnesses. There are several things that I want to ask you about.

First of all, how many cases has GAO now referred to the Department of Justice?

Mr. FOGEL. We have referred formally three specific cases as a result of our investigation pursuant to your requests last year to look at some aspects of the 1988 transactions. We have also informally talked to the Department about several other matters which we know they are pursuing.

The CHAIRMAN. Items that you were concerned about and where you did not make a formal referral?

Mr. FOGEL. We didn't make a formal referral, but we were concerned enough about the evidence that we wanted basically the Justice Department and the FBI who have subpoena authority and everything else to be able to look further into them.

The CHAIRMAN. And how many would you say in rough number fall into the informal?

Mr. FOGEL. The second category, I would say about another three to four. So we were concerned about maybe a total of six to seven.

The CHAIRMAN. Do you have any sense as to where those stand at this point within the Justice Department?

Mr. FOGEL. We know the Department is looking into them because some of their investigative people have come back and talked to our people. So to that extent we know they're being looked at, but beyond that we don't know what is going on with those.

The CHAIRMAN. Now we have had a long series of back and forth efforts on this, and the chronology that you have prepared to summarize that begins with a letter from a number of members of this committee in October 1988 to get into these 1988 transactions.

The summary that you have put together here of this chronology runs some 3 pages, and I'm not going to go through it all right now, but I am going to make it available today, make it part of the record and make it available to anybody in the press that is interested in looking at this history.

I want you to focus in on the issue of when you will have for us a further set of insights on the 1988 deals and tell as much as you can about that right now.

Mr. FOGEL. Well, I think there are two key things that have to happen from here on out on the 1988 deals, and that is why I emphasized those in my testimony. They have to do with the studies the RTC has to complete as a result of the statutory requirements in FIRREA that I think were put in because of the Congress' concern about these 1988 deals.

The CHAIRMAN. Well, let me just stop you there. I mean actually there were conversations back and forth between ourselves and GAO at that time to decide how those provisions should be prepared and put into law.

Mr. FOGEL. Oh, absolutely.

The CHAIRMAN. They are not in there by accident.

Mr. FOGEL. No, they are not in there by accident. I think they are a result of the interest of the committee and the work we began as a result of your committee's interest that, first of all, led us to become greatly concerned about the cost of these deals and whether in fact the Government got a good deal.

I think as we got in and looked at the way these transactions were put together, we felt there were problems, which is why we recommended to this committee that provisions be put in FIRREA that require the Government to not abrogate the contracts. I want to make it clear, no one has recommended that the contracts be abrogated, but that the Government exercise the options that are in those contracts to see whether it's more cost effective to buy our way out of these deals.

That is one of the things RTC is studying now. They have let contracts out to various groups of experts to study the financial arrangements of these deals and to see whether it would be advantageous to the Government financially to exercise those options. Now we intend to look very carefully at the results of those studies to give you our judgment as to the adequacy of those efforts.

The second thing that concerns us, as we previously reported to you, is the way the deals were made. There was very little, if any, documentation as to how the deals were made. Some things sort of went into a black box, as we euphemistically called it. We couldn't understand and we couldn't get from the documentation how they were put together and how the bidding was done. There was very little competition, and we said we were greatly concerned about that.

So another provision of the law requires RTC to study how that competition process took place and to see whether in their mind there is anything that warrants additional action either by the regulatory agencies or perhaps by the Justice Department. That study is also ongoing. They are supposed to report to the Congress I believe this fall on the results of that, and we intend to again look at that very carefully.

The CHAIRMAN. As we have discussed before, we put that in the law very specifically and very purposefully to be able to go back and lay this open and do this reconstruction.

And with respect to the outside analysts that are doing this work now under contract for the RTC, I intend to ask you as well when those results come back in as to the competence and the adequacy of the people who were asked to do the work. I mean we don't want a work product that is anything less than a 100-percent effort.

But it's very important that it be understood that all of this work is in process and is coming down the track. So we are going to be knowing a lot more about it when that analysis is done.

Let me stop at that point. Senator Garn is—does anyone know, is he right outside, because I don't want to go past him.

[The chairman confers with staff.]

The CHAIRMAN. All right, very good.

Senator Bond.

Senator BOND. Thank you, Mr. Chairman.

Mr. Fogel, I think you've given us some very startling information. You're suggesting that in the 1988 deals themselves there were fraudulent elements or at least elements that you regarded warranted referrals in three cases to the Department of Justice formally, not frauds underlying the initial failure, but frauds somehow in the transactions by which the 1988 deals were done?

Mr. **Fogel**. No. Let me correct myself if I gave you a misimpression. The allegations that we have referred to Justice, that we formally referred to Justice do not have to do with potential fraudulent activities in how the deals were put together. They have to do with potential fraudulent activities that we uncovered in the S&L's that were part of the deals.

Senator **Bond**. OK. Well, I'm glad I asked that because I thought we had a totally different problem on our hands. Well, I guess in a day of lots of bad news——

Mr. **Fogel**. It's some good news.

Senator **Bond** [continuing]. The absence of that bad news is somewhat good news.

In the summary and in your conclusion you indicate that Justice lacks the mechanism that would allow newly appointed Special Counsel ready access to key information. Do you have some specific suggestions on the kind of mechanism that should be established or what needs to be done there?

Mr. **Fogel**. Yes, I do. I think it's important to put this initiative in the context of how the Justice Department generally works, and what is going on in this case is fairly typical of how the Justice Department works. For example, we did a lot of work at the request of various committees of Congress looking at the whole question of how the Department and the U.S. attorneys were gearing up to look at defense procurement fraud. One of my colleagues testified yesterday on how the Department is going about trying to collect the debts that are owed the Government.

The Department is very decentralized. U.S. attorneys have to make, and I think properly so given our system of checks and balances, the key decisions on individual prosecutions and what is going to happen and not going to happen.

Generally the Department doesn't keep track, as a result of this, of what is going on in all the U.S. attorney's offices. I mean the cases are out there and you've got individual assistant U.S. attorneys working the cases, and in normal times that works fairly well.

What we see in the S&L case and not in some others in the past is a disaster of unprecedented proportions, and it probably calls for some special measures that Justice usually doesn't take in Washington to really get on top of these things. We believe justice needs to really track better than they normally do the progress of the cases and how the resources within the U.S. attorney's offices and within the FBI's regional offices and district offices are being allocated i.e., are we putting them where we really need to be putting them?

I hesitate to say this a little bit, but I think it has to be said. There has to be some good dialog between the U.S. attorneys who are setting the priorities out there in those individual offices and the key Justice people in Washington that are talking to the regulators and trying to develop some priorities back here.

So I think the type of things we're suggesting involve, knowing what is going on out there, and having information to track the activities and how your resources are being spent, because we are never going to have enough resources to do everything.

Senator **Bond**. For a long time I have believed very firmly that the Justice Department needs a centralized responsibility.

Mr. **Fogel**. They don't have it for this.

Senator **Bond**. Well, the appointment of this Special Counsel, is that position given adequate responsibility to coordinate? I mean is it just a question of the man—is it Mr. Richman?

Mr. **Fogel**. Richman, yes.

Senator **Bond**. Does he not have the authority or is he just lacking the management information systems to coordinate the information?

Mr. **Fogel**. Well, I think on paper he has some authority and the words sound pretty good about what he is going to try to do to coordinate things. He doesn't have the information. We understand he and his staff have had to make a lot of phone calls around to the 93 U.S. attorneys to find out what is going on, and that's not the most effective way or efficient way to operate.

Senator **Bond**. But it's better, they've got somebody making phone calls.

Mr. **Fogel**. That's right, at least he is making the phone calls. But the extent to which he is really able to coordinate this all and pull it together I think remains to be seen. I think it's going to depend a lot on how he interacts with the U.S. attorneys, what type of support he gets from the Attorney General and how the U.S. attorneys want to interact with him. So I think it remains to be seen whether in practice he will be able to exercise perhaps the type of strong or central direction that you would like to see.

Senator **Bond**. One point that you hit on a couple of times in your testimony, and the half a trillion dollar figure sounds good, but you said it includes interest.

Mr. **Fogel**. That's correct.

Senator **Bond**. And if we took every Government program, or took any Government program that we authorize now, whether it be increased spending for housing or for defense, and assumed that since we are in a deficit we would have to keep paying interest on the money that we borrow to make that expenditure, you could run the sum to infinity because I don't know anybody who has come up with a deficit reduction plan that we're going to pay off the deficit.

I think it's more helpful to determine the initial outlays and put a figure on that. As I believe my colleague from Texas has pointed out, when somebody takes out a $100,000 mortgage, they say they owe $100,000. They don't figure the $290,000 they will probably wind up paying in interest as they repay the principal. The difference here is that there is no prospect of repaying the principal. If you want to carry it out to infinity, you could have every Government program with an infinite cost and no real measure of it.

Do you have the cost of the outlays absent the interest so that we could focus on that figure rather than trying to get a handle on an unmanageable and unquantifiable sum that takes in future interest?

Mr. **Fogel**. Well, yes, we do. That's in economic terms called the present value, and in a present value basis I think roughly we're talking about a minimum of $150 billion. But that assumes that you could write a check today to solve the problem, and I know there are different ways you can look at the cost of this S&L disaster.

I think when we are trying to look at it, and we have had discussions with Treasury and there is no disagreement on the present value, but our assumption——

Senator BOND. In present value are you putting the present value of future interest costs?

Mr. FOGEL. No. If you resolve the whole problem today, we would have to be able to write a check for at least $150 billion.

Senator BOND. So you disagree with the Treasury's figure of $90 billion to $130 billion?

Mr. FOGEL. Well, I think Treasury's estimate is a little higher than that, I think the Federal Reserve Board Chairman, Mr. Greenspan's estimate higher than that and I think Mr. Seidman's is also higher. I don't think there is much disagreement between us and the administration on the cost.

Senator BOND. Well, I think it makes more sense to talk about figure so we can get a handle on it.

Mr. FOGEL. But the difference is that we can't write a check today. The Government has already sold 30 and some 40-year bonds to finance this bailout, and we are going to have to pay the interest. It's going to be, you know, a significant amount of money in the future.

So that's why we think if you want to look at the total cost you have to include the interest. But I absolutely understand the other point, too, the other side.

Senator BOND. Mr. Chairman, we're got other things to get on to, and I will pursue this later.

The CHAIRMAN. Let me just say this. I thought that what we should do because Mr. Fogel is here presenting the GAO and all the work they have done, that we should have one round of questions before we go to our other witnesses. I want to say that Mr. Maffeo having been an assistant U.S. attorney has been involved in tracking down these cases in a sense and trying to make the prosecutions and put the cases together. So he obviously will bring a kind of insight that we don't normally have the chance to have, and we are very interested in getting it, and Mr. Gup also will be bringing some very important insight from a different perspective.

But let us finish one round here with the GAO.

Senator Sanford, did you have an opening comment that you wished to make at this point?

Senator SANFORD. I will only speak for a moment, Mr. Chairman, and then I'll sumbit the entire statement in the record.

I want to thank the witnesses, and I especially want to thank the GAO people for being here. I think they have performed a great service throughout this investigation as well as a great service in many other areas. I think it's a tribute to their organization that they have so much credibility. When GAO says something, generally people are inclined to believe it.

I think the $150 billion figure is a little higher than we have been hearing, but it's also small when you compare it with what we will have to pay in terms of interest. If I may digress just a moment we must pay that because we have been so careless with our finances over the last 10 years.

If we didn't owe so much money, we could probably pay $150 billion. $150 billion is a problem. It's an outrage. It's a disgrace that we have allowed that much money to be squandered.

But, Mr. Chairman, since we are going into a session here shortly to increase the national debt, $150 billion is only half of what the annual deficit is, and half of what the annual interest is on the national debt, and in that perspective I see this as a great scandal. We want to clean it up and we want to find out how to avoid this in the future.

We also must reduce our deficits and our national debt if we are ever to reduce our $300 billion a year interest payment requirements. I apologize for changing the subject, but I think we need to understand the pressure the S&L costs are placing on our Nation.

The CHAIRMAN. Very good, and we will make your full statement a part of the record.

[The opening statement of Senator Sanford submitted for the record follows:]

OPENING STATEMENT OF SENATOR TERRY SANFORD

Senator SANFORD. Thank you Mr. Chairman, and I would like to thank our witnesses for being with us this morning. There are few things that the American public is more outraged by than the preception that much of the losses incurred by the S&L's resulted from fraud and improper dealings by thrift operators and these crooks are getting away with it.

While we may discuss this morning just how much fraud loss may have occurred, unquestionably, the criminal activities of thrift operators contributed significantly to the savings and loan debacle. The Attorney General has testified that 20 to 30 percent of savings and loan failures can be directly attributed to fraud. If we are going to ask American citizens to pay for the estimated $500 billion it will take to clean up the S&L mess, we owe them an honest effort to find these crooks, prosecute them to the fullest extent of the law, and recover as much of the losses as possible.

Mr. Chairman, the Congress has taken steps to make the S&L criminals pay. In an amendment to the Omnibus Crime bill, we gave the administration significant new tools for searching out and prosecuting fraudulent thrift operators. The amendment provides for new, higher civil and criminal penalties, more resources for investigation, and new channels for timely, effective prosecution. Bills still pending would push the administration to use the $75 million dollars previously authorized by Congress for dealing with bank fraud. This is money which should have been utilized without such legislative urging.

We have done what we can. But Congress cannot send these criminals to jail or force them to pay back the millions of dollars they have stolen from the citizens of the United States. Unless the administration will use the tools and money we have provided, thrift crimes will go unpunished. I look forward to hearing how effectively the administration has been handling the fraud problem so far, and the effect congressional initiatives will have on this effort.

Let me once again thank our witnesses for coming before the committee today. I look forward to their testimony and the questions and answers which will follow.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Pressler, did you want to make an opening comment before we go to Senator Shelby for questions?

Senator PRESSLER. I have submitted mine for the record. I have a couple of questions, but I may have to leave. I'm going to meet with Judge Suter. So I'll leave my questions.

The CHAIRMAN. All right.

Senator Dixon has asked that his statement be inserted at this point in the record.

[Senator Dixon's statement follows:]

OPENING STATEMENT OF SENATOR ALAN J. DIXON

Senator DIXON. I am pleased to be here today for this first of 2 days of hearings on prosecution of financial fraud in thrifts and banks across the United States.

The essential question before us is, "is the Federal Government doing all it can to bring to justice those who have committed criminal or civil fraud and to recover as much money as possible?"

Does the Justice Department, does the RTC, and do the regulatory agencies have proper procedures and sufficient resources in place? The Senate seems to have included everything anyone could think of in the thrift prosecution amendment to the Omnibus Crime bill, and I am pleased to have played a role in promoting several of the provisions. Still, I want to know whether Congress can do anything further to advance both civil and criminal prosecution efforts.

I look forward to the testimony of our assembled witnesses.

The CHAIRMAN. Senator Shelby.

Senator SHELBY. Thank you, Mr. Chairman.

I want to focus back, Mr. Fogel, on the acquirers of the thrifts. What work has the General Accounting Office done in this area, and do you have a task force of any kind put together to look at the people that acquired these thrifts in 1987 and in late 1988, the deadline that you referred to earlier and, if so, have you focused at all on the so-called Blue Bonnet case that has been in the news a lot and looks like it won't stand the light out here for the taxpayers to look at how that deal was put together and how little was put into it?

Mr. FOGEL. We do not have a task force going at this time looking at that. As a result, as Senator Riegle said, of the initial request we got from Senator Riegle and some other members of the committee in October 1988, we began looking at some of the deals to get a sense not so much about those deals, but of how they were put together. So we didn't follow and track individuals.

Senator SHELBY. Have you been able to reconstruct how those deals were put together through the paper trail and the minutes and so forth that were held in these meetings?

Mr. FOGEL. Well, that's one of the problems. There isn't much of a paper trail. There was very little documentation. A lot of it occurred orally. What documentation there was on the deals we looked at was fairly skimpy.

Senator SHELBY. Was that planned that way?

Mr. FOGEL. I can't say.

Senator SHELBY. Is that unusual to have skimpy records and data in transactions of these size in the business world?

Mr. FOGEL. Well, we found it very unusual, not so much in the business world, but in the context that we were dealing with a Federal agency here. While we didn't expect them to have reams of documentation, we expected when we went in that there would have been more documentation.

Senator SHELBY. To justify what they were doing.

Mr. FOGEL. Exactly. That's one of the reasons that we think it was very appropriate, for example, for the RTC to take a little time to put together some procedures that they were going to follow when they started selling thrifts so that you could have good documentation and there was some transparency regarding how the deals are made now, and that wasn't the case in the 1988 transaction.

Senator SHELBY. Do you believe that the Justice Department should be looking at the acquirers for fraud in acquiring these institutions?

Mr. FOGEL. Well, I think it's appropriate that the RTC is now looking at the way the competition occurred or didn't occur, as the case may be. I think it's going to be critical that the Justice Department take a look at that report and make some decisions as to whether they should pursue cases. I don't have any opinion as to whether Justice should or shouldn't go after them, but I think they are going to have to look carefully at the evidence to see.

Senator SHELBY. But there is a lot of money riding on all of this and losses to be sustained by the Government and the taxpayers in the future, is there not, because of agreements entered into with the acquirers?

Mr. FOGEL. That's correct.

Senator SHELBY. Do you have any idea of the potential hit in the future on the taxpayers from the acquired thrifts up through 1988?

Mr. FOGEL. No. I think our estimate, if I recall it, is around $55 billion to $60 billion or maybe a little bit more than that, $67 billion if I recall the total cost of the 1988 deals. The hit could be higher again if some of the assets don't perform well. Our accountants are looking at that now and trying to get a better handle on the cost of those.

Senator SHELBY. These cases that were dealt with in getting rid of the thrifts and so forth up through 1988 under the so-called deadline of tax deals and so forth, as those cases unfold should they in the general order of what you do at the General Accounting Office speak for themselves and justify each on a case-by-case basis and be free from influence peddling, from fraud and it should be basically the best deal that the Government could get in the situation?

Mr. FOGEL. Well, I think that's the case.

Senator SHELBY. Is that the criteria you'll be looking for?

Mr. **Fogel**. That's the criteria I think you would look for initially when you put them together, and that's the criteria we ought to be looking at now in re-examining those, yes.

Senator **Shelby**. But as some of these begin to unfold there are a lot of questions concerning how these deals were put together, who got them, it is questionable whether there is fraud involved, was it influenced peddling and so forth. There are a lot of unanswered questions there, are there not?

Mr. **Fogel**. I agree there are unanswered questions.

Senator **Shelby**. Mr. Chairman, thank you.

The **Chairman**. Thank you, Senator Shelby.

Senator D'Amato.

Senator **D'Amato**. Thank you, Mr. Chairman.

Mr. Fogel, if you might, and I don't know if you're in a position to do so, I referred earlier to one of the so-called experts, and I don't say that in a pejorative sense, I'm just giving my staff the business again for saying one expert estimated that fraud constituted something in the area, and he estimated 3 percent. That was Bert Ely who was here and testified, and he said most of the losses come from falling real estate values and from excessive interest rates paid by sick thrifts to attract depositors, and then he gives a little further a breakdown on how those losses fall out.

Have you had an opportunity or in your studies would you estimate what the percentage of losses occurred as a result of fraud, and I know sometimes it's hard to distinguish fraud from stupidity or recklessness and you begin to get close to the line, but what would you estimate if you have access to any of that kind of information?

Mr. **Fogel**. We don't have an independent estimate of the total amount of fraud that may have occurred, Senator. We did a study last year looking at I believe 26, I think it's 26 or 27 thrifts that failed, and I think we found that there was the potential for fraud in I would say about 80 percent of those. But, again, that was based on an examination of just a very limited number of thrifts that we looked at.

That's why we have given a range, and we haven't looked in detail at how either Bert Ely or the FDIC or the RTC have come up with these estimates. I think it's really unclear at this point in time exactly how much fraud there was. There was fraud, but I don't think we feel we can come up with an independent quantitative estimate.

Senator **D'Amato**. Mr. Chairman, I'm wondering again on my time if I might, because I have another committee hearing, might be able to get any of our other witnesses during my time to give us an evaluation.

Mr. Burow, have you looked at this at all?

Mr. **Burow**. All I would add to what Mr. Fogel said is that I would think that the Special Counsel that was appointed at the Justice Department would want to take off on very quickly to identify how much fraud.

Senator **D'Amato**. And give us some kind of estimate. I mean the figures that are flying around are just wild, and it's a tough issue to figure out, you know, the potential sure, every director, you know, and then there comes a bit of a little inside dealing and he makes something available to somebody and it works out and it's not really fraud in the sense of maybe he shouldn't have crossed the line, and I'm not countenancing that, but is that the fraud that we have come traditionally to know of, which I think Mr. Maffeo will testify to, like the kind where the Teamsters or others come in and you have a fund built and you really have it in the traditional sense where you have real looting taking place.

Mr. Gup?

Mr. GUP. Yes, sir. I believe Bert Ely's estimate of $5 billion of S&L losses to defraud is grossly understated. He recognizes fraud, but ignores insider abuse. Fraud is criminal misconduct and refers to violation of statutes. Insider abuse refers to a wide range of misconduct by insiders of financial institutions committed with the intent to enrich themselves without regard to the safety or soundness of those institutions.

There is a very thin line between fraud and insider abuse which is legal but not good and criminal misconduct. However, there is no difference between them from the point of view of the 100 million taxpayers who have to pay for the S&L losses.

Senator D'AMATO. Mr. Gup, save your testimony. So you're disagreeing and you think it's much higher and it comes from that insider dealing?

Mr. GUP. Yes.

Senator D'AMATO. And it's a fine line sometimes to distinguish it?

Mr. GUP. Yes, I believe so. I'm guess as much as a third, and that's a guess.

Senator D'AMATO. OK, about a third, and some of that you would characterize as a reckless wheeler dealer kind of thing.

Let me ask you this, Mr. Fogel. There was a failure, and obviously it was a failure to detect this situation until you've got banks closing down and what-not. Where was it?

Mr. GUP. Oh, I think, as you may have said earlier, Senator D'Amato, the failure was throughout the whole system. I think it started quite frankly, first, with the people running the S&L's.

Senator D'AMATO. Why didn't we get this before it became a $150 billion hole plus interest?

Mr. FOGEL. Well, I think that the regulators obviously weren't in there doing their job.

Senator D'AMATO. Do you think the regulators are doing their job with the commercial banks, because I've said this for 10 years now, you've got a Ponzy scheme that is the most incredible thing, and if you ran a corporation outside of banking you would go to jail, reporting profits on interest that you've earned that you haven't earned because you just continue to loan and take the money and discount it and pay it off.

Mr. FOGEL. I think the regulators are——

Senator D'AMATO. Maffeo, he would have a field day. He would be prosecuting guys, you know, for SEC violations, reporting profits that they didn't earn. Did you know that? It's an incredible Ponzy scheme, and the regulators have been part of it. Now what about it?

Mr. FOGEL. Well, I think the regulators are obviously becoming more concerned now.

Senator D'AMATO. What about the Federal Reserve, where were they?

Mr. FOGEL. Well, the Federal Reserve in terms of banks perhaps wasn't being as stringent as they should have been.

Senator D'AMATO. They are part and parcel of the thing. They see it taking place. You know that a country didn't pay one penny of real interest on money that it borrowed. We can go back and I said this years ago, not one penny of it. But the country comes and they say, listen fellows, you had better loan us another $500 million, because if you don't loan us the $500 million, you're going to have to chalk our previous loans then as a default. So they loan them the $500 million, they discount $100 million on interest due and owing, they report to the stockholders a $100 million profit, and they really loaned them another $500 million, and they just kept this on year after year.

Mr. FOGEL. I think that as the committee looks at potential reforms in the deposit insurance system, one of the other issues that needs to be looked at quite frankly is the extent of the powers and how the regulators have exercised those powers.

Senator D'AMATO. Well, we're going to give these guys more powers. Let me tell you we're going to let them get into everything, and whatever they haven't destroyed, we'll give them the opportunity to destroy.

Mr. FOGEL. But there is one other thing that I wanted to say, Senator, in terms of part of the cause of the problem. I don't think, for example, the boards of directors of these banks or S&L's have exercised the type of fiduciary responsibility they have. The audit committees of the boards dropped the ball and the CPA firms haven't done their job. I mean you can look at basically everyone involved in the operation and you can point the finger at everyone.

Senator D'AMATO. Senator Bond says you mean it's a team effort. [Laughter.]

Mr. FOGEL. That's right. There was a team effort that resulted in the problem.

Senator D'AMATO. With lots of breakdowns.

Mr. FOGEL. And lots of breakdowns.

Senator D'AMATO. And lots of money. You know, the guy is an accountant and they have a big firm there. They don't want to lose that nice retainer and all that work, and their general counsel, he doesn't want to lose it.

So you've got a team effort there, Senator Bond. I'll give you credit for that one.

Mr. FOGEL. There is some legislation being developed on the House side that, for example, would strengthen the roles of audit committees. I know some of it's controversial, but it would support making the accounting firms more accountable. We think that type of change is also needed to tighten things up.

Senator D'AMATO. Thank you very much, the entire panel, for coming. I'm not going to be able to stay for all of it, but I want to thank you for coming, thank you for your testimony.

I look forward to reading your book, Professor Gup.

And, Mr. Maffeo, you can't continue your good work in certain areas now because you've left the U.S. attorney's office?

Mr. MAFFEO. I was with the Justice Department's Organized Crime and Racketeering Section, which met an early demise and occasioned my returning to private practice a year ago.

Senator D'AMATO. Well, good luck in that.

Mr. MAFFEO. Thank you very much, Senator.

Senator D'AMATO. Thank you, Mr. Chairman.

The CHAIRMAN. Very good. Thank you.

Senator Sanford.

Senator SANFORD. Thank you very much. I know that GAO has not been specifically investigating the so-called Southwest deals. I know that you earlier looked at the general situation at the request of the Chairman of this committee. But I would like to focus a minute on the southwest deals and get your opinions.

We have a report coming from FDIC, in the middle or latter part of August outlining in detail what occurred and what paper trail they found.

Obviously we need to know the pros and cons of these deals as we design better regulations and better controls for the future. However, I think we need to know about another aspect of the issue. Is it something we can undo? Has it gone so far where we think that improper concessions, perhaps not necessarily illegal concessions, but improper concessions were made and that too much was given away? Will we have an opportunity to undo, or recover, or rearrange, or renegotiate those deals?

Mr. FOGEL. Well, it's our understanding that in the contracts there are provisions for the Government, for example, to exercise some options to buy back some of the, if you will, yield maintenance agreements and buy them out so that we don't have to continue to pay for those.

What we think that the current RTC study will do is to show whether it's going to be more cost effective to exercise the options in those contracts and get out of the deals now than to let them run the full 9 to 10 years. So the Government will have some opportunities to take a look at some.

Senator SANFORD. Will we have the opportunity to offset what might have been undue enrichment by either careless or improper official action?

Mr. FOGEL. Well, no, that's right. When we reported to the committee in March 1989, on these deals, we reported that the people that went into them didn't put up much of their own money, and that in fact we estimated that some of them got their initial investment back within a period of 1 to 3 years. So it was a good deal for some of the investors.

I think the committee understood that and the Congress understood that. That's why they put the provision in FIRREA to have the Government take a hard look and see whether we could exercise the options that were available to us. But it's my understanding that you couldn't go back, and I don't think you could just abrogate the entire contract.

Senator SANFORD. What would it take to do that, assuming this investigation indicates some extremely negligent and careless action, if not conflict of interest? If the examinations find very improper action on behalf of the Government? What recourse do we have?

Mr. **Fogel**. Well, no, you do. I would like to have our lawyers get back to you on that, Senator, and explain to you. I think there are some avenues open to the Congress. You could actually legislate something that would break those deals, but I would like to get back to you in a little more detail of legally exactly how that could take place.

Senator **Sanford**. I don't want to prejudge it of course. We want to wait until we get that report, and we want to wait until this committee can hold hearings and examine each of the cases analyzed in the report. But I would appreciate, and I think the committee would appreciate, your thinking about and preparing some advice on how they might be undone if indeed there was improper enrichment.

Mr. **Fogel**. We would be glad to provide you with that legal analysis.

Senator **Sanford**. All right.

[The information to be provided for the committee follows:]

**Comptroller General
of the United States**

Washington, D.C. 20548

B-240860

August 27, 1990

The Honorable Terry Sanford
Committee on Banking, Housing,
  and Urban Affairs
United States Senate

Dear Senator Sanford:

During the Committee's hearing of August 1 on bank and thrift fraud, you requested our opinion concerning actions the government may take to undo or restructure agreements that the Federal Savings and Loan Insurance Corporation (FSLIC) made in 1988 in order to facilitate the acquisition of troubled thrifts. You asked about the government's recourse with respect to the agreements should evidence of improper conduct by government officials be uncovered, and also about measures the government could take if it were to be determined that financial assistance commitments made by FSLIC were overly generous.

As explained in the enclosed analysis, provisions of FSLIC's assistance agreements permit termination of the government's obligations only in specified circumstances, including the acquirer's insolvency or failure on the part of the acquirer to comply with material terms of the agreement. However, apart from any rights afforded to the government under FSLIC's agreements, well-established legal principles would permit the government to cancel any of the agreements and discontinue financial commitments thereunder on the basis of fraud or misdealing in particular transactions.

In the absence of misconduct, or circumstances which under the agreements would justify termination, the government would not be able to cancel FSLIC's agreements without exposure to potentially enormous financial liability. In making the agreements, FSLIC acted under broad statutory authority to set the terms and conditions of the assistance it would give to the acquirers of troubled thrifts. Any attempt by the government to cancel the agreements based on cost considerations or imprudent government bargaining could amount to a breach of contract and also could be challenged as an unconstitutional taking of property without just compensation.

Agreements made by FSLIC do include measures the government could use to renegotiate or restructure the terms of its financial commitments and reduce future obligations. For example, the government could prepay promissory notes FSLIC gave to the acquirers, saving future interest expenses. The government also may be able to buy back assets for which FSLIC guaranteed a particular return or yield. However, whether any of these options would make sense financially depends on the facts of the particular transaction.

Under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), Public Law 101-73, the Resolution Trust Corporation is charged with reviewing FSLIC's agreements in order to identify cost saving options that the government may exercise under those agreements. We understand that the Corporation is actively conducting the review called for by FIRREA, and that it expects to report the results of its review in the near future.

We trust that this responds to your questions. By separate correspondence of today, we are providing copies of this response to Chairman Riegle and Senator Garn.

Sincerely yours,

Milton J. Socolar

Acting Comptroller General
of the United States

Enclosure

ANALYSIS OF THE GOVERNMENT'S LEGAL OPTIONS WITH RESPECT TO FSLIC AGREEMENTS

BACKGROUND

During 1988, the Federal Savings and Loan Insurance Corporation (FSLIC) with the approval of the Federal Home Loan Bank Board resolved approximately 220 failed savings and loan institutions. Of this total, 179 thrifts were sold to acquirers in 86 transactions.1/ In general, these transactions involved several types of agreements, including: (1) one or more "acquisition agreements," under which a troubled thrift's assets and liabilities were transferred to the acquirer; and (2) an "assistance agreement," under which FSLIC agreed to make certain contributions to the acquirer and to compensate it for future losses. The assistance FSLIC agreed to provide was generally in the form of promissory notes and guarantees rather than cash.

The terms of the acquisitions and the forms and amount of assistance FSLIC agreed to provide in the transactions we reviewed varied according to the particular transaction.2/ Typically, FSLIC provided the thrift acquirer with a promissory note for the negative tangible net worth of the troubled thrift. Also, FSLIC's assistance agreements provided for guarantees covering net capital losses due to writedowns or sales of problem assets, yield subsidies on nonperforming assets to ensure a specific rate of return, and indemnification against undisclosed liabilities of or litigation against the acquired thrift.

Acquirers generally received some other benefits in addition to FSLIC assistance. In many cases, the Bank Board granted acquirers "forbearances" from supervisory or enforcement action based on the acquired thrift's failure to meet particular regulatory requirements. Following the passage

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1/ See Failed Thrifts: GAO's Analysis of Bank Board 1988 Deals (GAO/T-GGD-89-11, Mar. 14, 1989).

2/ For a discussion of 15 assisted transactions in Texas, see Failed Thrifts: Bank Board's 1988 Texas Resolutions (GAO/GGD-89-59, Mar. 11, 1989). See also B-233063, Oct. 11, 1988, generally discussing FSLIC's use of promissory notes and assistance guarantees.

of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), Public Law 101-73, 103 Stat. 183, the status of some forbearances, particularly those relating to capital standards and the accounting treatment of supervisory goodwill, have been called into question.3/ Also, acquirers of troubled thrifts received several tax advantages, including the ability to exclude financial assistance from income and to carry over losses on the books of the acquired thrift.4/ While tax benefits accrued to the acquirer, FSLIC's assistance agreements included provisions for allocating the value of these benefits between the acquirer and FSLIC.

Acquirers agreed to assume the troubled thrift's assets and liabilities and invest new capital in the thrift. With respect to assets covered by guarantees, acquirers agreed to use their best efforts in managing and disposing of the assets so as to maximize gains and minimize losses, and also to share gains on asset sales with FSLIC. FSLIC also executed "warrant agreements" with acquirers entitling it to purchase common stock in the acquired thrift.

ANALYSIS

At the outset, there is nothing in the statutes underlying the assistance agreements made by FSLIC or the changes recently effected by FIRREA that would permit wholesale cancellation of the government's obligations under the agreements. FSLIC had very broad authority to provide financial assistance to acquirers of troubled thrifts and

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3/ On January 9, 1990, the Office of Thrift Supervision (OTS) issued a bulletin advising thrifts that FIRREA eliminated capital and accounting forbearances previously granted by the Bank Board. A number of thrift acquirers have filed lawsuits challenging the position taken by OTS, and several interim court rulings have been favorable to the acquirers. See, e.g., Winstar Corp. v. United States, No. 90-8C, slip op. (Cl. Ct. July 27, 1990); Far West Federal Bank v. Director, Office of Thrift Supervision, No. 90-103-PA, slip ops. (D. Or. May 4 and June 8, 1990).

4/ The Technical and Miscellaneous Revenue Act of 1988, enacted on November 10, 1988, reduced the tax benefits available to thrift acquirers. FIRREA repealed the special tax rules applicable to assisted acquisitions. FIRREA section 1401.

to set the terms of such assistance under provisions of title IV of the National Housing Act, then codified at 12 U.S.C. §§ 1725, 1728, and 1729 (1982). Under section 402(d) of the Act, FSLIC was empowered to issue notes and other obligations "upon such terms and conditions as [the Bank Board] may determine." Section 406(f) of the Act allowed FSLIC, in its sole discretion, to make contributions to troubled thrifts and provide them with other forms of assistance. Under section 406(f)(2), FSLIC was authorized, in its sole discretion and under the terms and conditions it prescribed, to guarantee an institution against losses arising from its acquisition of a troubled thrift. Based on these statutory provisions, we held in B-233063, Oct. 11, 1988, that FSLIC had the requisite authority to issue promissory notes and guarantees as part of its assisted acquisitions. In that opinion, we also held that FSLIC notes and guarantees are obligations of the United States, backed by its full faith and credit.

With the passage of FIRREA, the Federal Deposition Insurance Corporation became responsible for administering FSLIC's assistance agreements and satisfying FSLIC's debts and liabilities from the newly established FSLIC Resolution Fund. FIRREA section 215. The Act explicitly preserved the rights, duties, and obligations of FSLIC and other persons arising under "any section of title IV of the National Housing Act," which, as discussed above, authorized FSLIC's assistance agreements. FIRREA section 401(f). While the Resolution Trust Corporation (RTC) was charged with reexamining FSLIC's agreements for purposes of identifying cost saving measures and exercising options for reducing costs, the specified options do not include cancellation of the agreements.5/

The terms of assistance agreements we reviewed allow the government to terminate obligations under the agreements only in specified circumstances, including the acquirer's

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5/ Under section 21A(b)(11)(B) of the Federal Home Loan Bank Act, added by section 501(a) of FIRREA, RTC is required to exercise "any and all legal rights to modify, renegotiate, or restructure [FSLIC's] agreements where savings would be realized by such actions." The conference report's explanation of this provision makes clear that the rights RTC may exercise are those that would have been available to FSLIC under the agreements. H.R. Rep. No. 209, 101st Cong., 1st Sess. 414 (1989).

insolvency or failure on the part of the acquirer to comply with material terms of the agreement. Assistance agreements may include a provision terminating the agreement as a whole if both parties have agreed to do so. Additionally, FSLIC and the acquirer may vary specific aspects of assistance agreements upon reopening negotiations of the parties. In certain circumstances, discussed below, FSLIC may vary the terms of its assistance obligations by unilateral action.

Of course, apart from any rights afforded to the government under the terms of FSLIC's assistance agreements, the government would be able to cancel any agreement and discontinue its financial commitments thereunder if evidence of fraud or misdealing with respect to the agreement was uncovered. The courts have held that any government contract tainted by fraud or misdealing may be canceled by the government and, depending on the facts of the case, the government may be able not only to disengage itself from future financial commitments but also to recover any payments previously made. See J.E.T.S. v. United States, 838 F.2d 1196 (Fed. Cir. 1988); K & R Engineering Co. v. United States, 616 F.2d 469 (Ct. Cl. 1980). The courts have also held that the government may cancel any contract in which a government official had a conflict of interest, even if the party contracting with the government was not guilty of wrongdoing. United States v. Mississippi Valley Generating Company, 364 U.S. 520 (1961). See also K & R Engineering Co., cited above. Additionally, other types of illegality in the making or performance of a government contract will provide a basis for cancellation by the government. See, e.g., Alabama Rural Fire Ins. Co. v. United States, 572 F.2d 727 (Ct. Cl. 1978).

In the absence of fraud or misdealing, or circumstances justifying termination under the provisions of FSLIC's agreements, the government could cancel the agreements only with exposure to potentially enormous financial liability. The Supreme Court has held that, when the government enters into a contract, it ordinarily incurs responsibilities similar to those of a private person who is a party to the contract. Lynch v. United States, 292 U.S. 571 (1934); Perry v. United States, 294 U.S. 330 (1935). Thus, if the government terminates a contract without justification, such termination is a breach of contract and the government becomes liable for all damages resulting from the breach. United States v. Behan, 110 U.S. 338 (1884); United States v. Spearin, 248 U.S. 132 (1918).

Furthermore, although Congress could enact legislation cancelling the assistance agreements, the enactment of any such legislation could be subject to challenge on constitutional grounds. The courts have held that contractual rights against the government are Fifth Amendment property interests that cannot be taken without just compensation and, therefore, that congressional power to abrogate government contracts is narrowly circumscribed. Lynch v. United States, 292 U.S. 571 (1934); Perry v. United States, 294 U.S. 330 (1935); Larionoff v. United States, 533 F.2d 1167 (D.C. Cir. 1976). The courts have also stated that although Congress may constitutionally impair existing contract rights in the exercise of a paramount government power such as the "war power," Congress does not have the power to repudiate the government's contractual obligations solely in order to save money. Lynch, cited above, 292 U.S. at 580; Larionoff, cited above, 533 F.2d at 1179-80.

As we indicated above, there are measures the government can take short of cancelling FSLIC's assistance agreements in their entirety in order to reduce the government's future expenses. For example, provisions in many agreements allow the government to purchase or require the sale of assets for which assistance has been guaranteed, thus eliminating the need for future yield maintenance payments and capital loss coverage. Also, the terms of FSLIC's negative net worth notes may provide for early payment on the notes, saving the government future interest expenses.

Whether the government's use of options mentioned above makes sense financially depends upon the facts of each transaction. As discussed previously, FIRREA requires the RTC to review FSLIC's agreements in order to identify and exercise cost-saving options available under those agreements. We understand that the RTC is actively conducting the review called for by FIRREA, and that it expects to report the results of its review in the near future.

Senator **Sanford**. We also obviously are looking for needed changes, which will come out of these reports as well as your reports and your recommendations.

I have some questions about whether you think the Justice Department is now picking up its interest and doing enough in pursuing the criminal aspects of the S&L crisis.

Mr. **Fogel**. Well, we work for the Congress and not the executive branch. So we're not afraid to criticize them when they need to be criticized.

The Department is picking up speed. There is no doubt about it. I think we've seen an increased willingness to commit resources to the effort, and we've seen an increase in the last 6 months of activity and attention paid to this problem by the U.S. attorneys. So there is no doubt that they are beginning to respond more aggressively to the problem than they were even in the last several years.

Senator **Sanford**. I think there is no question in the Southwest arrangements and workouts that the agencies let us down. The question is, are any agencies letting us down now?

Mr. **Fogel**. Well, I think it's important to continue to ask us to give you answers on that question and to continue to bring up the responsible agency officials to hold them accountable to the committee for how well they are doing to make sure that they don't let you all down.

Senator **Sanford**. Thank you very much.

Thank you, Mr. Chairman.

The **Chairman**. Thank you, Senator Sanford.

Mr. Gup, you've been very patient and, Maffeo, you have as well. Let's hear from Mr. Gup at this point.

STATEMENT OF PROFESSOR BENTON E. GUP, CHAIR OF BANKING, THE UNIVERSITY OF ALABAMA, TUSCALOOSA, AL

Mr. **Gup**. Mr. Chairman and members of the committee, thank you for the opportunity to present my views on fraud and insured depository institutions, which I will refer to as banks.

You invited me here today because I wrote a book entitled "Bank Fraud: Exposing the Hidden Threat to Financial Institutions." It was my understanding that copies of that book were sent to each of the members of the committee. So you should have one.

Major frauds against banks are profitable for the perpetrators because they are relatively easy to commit, hard to detect and difficult to prove. Major frauds will continue as long as there are people, greed and money in our financial system, and the likelihood of that changing is minimal.

The best solution to the problems are early detection and prevention. Major frauds involve a variety of schemes, including nominee loans, linked financing and land flips. Linked financing and land flips are not necessarily illegal by themselves. Land flips usually occur in connection with willful misapplication of funds, making false statements and other activities which are illegal.

The easiest way to commit fraud and insider abuse at a bank is to own one or to be the dominant individual in control of one. Dominant individuals who control banks have unparalleled opportunities to abuse their position and to use insured deposits and other bank funds for their personal gain.

Every bank officer knows this is so and how to do it. One way to do it is by making loans that are never repaid. Our banking history is replete with the name of banks where insider abuse and fraud played a major role in their demise, Vernon Savings and Loan, Sunbelt Savings and Loan, Florida Center Bank, United American Bank Knoxville, and Penn Square and other notorious examples.

Major frauds cannot occur in a vacuum. They do require the cooperation of bank officers and directors in one or more banks over extended periods of time. The dominant individuals in the banks mentioned previously controlled their boards of directors. Weak and willing directors who breached their duties contributed significantly to the failure of their banks. Such directors are as much at fault for the bank failures as the dominant individuals who manipulated them.

While fraud and insider abuse by individuals receive most of the media attention, fraud by outsiders rarely gets mentioned. Nevertheless, it is a major problem when the defrauded banks fail.

There are predatory loan and deposit brokers who ferret out financial weak and failing banks. More often than not these are small banks. The broker contacts an officer or director of the bank selected as a target and explains that he has certain loans that he is willing to place with that bank. These may be loans that under ordinary circumstances would be rejected by the banker. The broker will also arrange for a loan package to include deposited or brokered funds for it to finance the loans. When the loans go bad, the banks fail, too, but long before that the loan broker got their fees and they are out of the picture.

Outsiders intent in fraud may acquire controlling interest in banks at 20 to 50 cents on the dollar from disgruntled investors. Small banks in weak financial condition are the most likely targets because they are the least costly to acquire. Most small banks are owned and controlled by a few large shareholders. The new owners in the banks install their own officers, pump up the deposits and make fraudulent loans. All of this can take place in a matter of weeks or months.

Next I would like to turn to suggested reforms covering regulatory reforms, deposit insurance and structural weakness in our financial system. No public attention is paid to the many thousands of banks that survive and thrive because of the presence of regulators, examiners, rules and guidelines which encourage correct behavior. But for the presence of regulators, other bankers might have gone astray. More intensive application of existing rules and guidelines is needed as a deterrent.

Regulators can do a better job in early detection of insolvency if they are provided with better information. One source of better information is market value accounting for financial statements. That would help both regulators and investors evaluate the true net worth of banks.

Currently we use historical value accounting which distorts the true net worth because it does not reflect changes in current value. Market value accounting has the added benefit of the market discipline of investors, another deterrent of fraud.

It is easier to prevent fraud than to detect it and prosecute it and win. The most effective way to prevent fraud and insider abuse is to have an active board of directors complying with statutes and regulations and exercising its duty with diligence. When a director has failed to do so and the bank fails due to fraud and insider abuse, they should be held accountable for their negligence, criminal misconduct or both.

It is clear that the regulators must make a greater effort to ensure that bank directors are doing the job that they are supposed to be doing, and that is being responsible for the welfare of their banks.

Let me turn to the pledging of deposits. In a market system such as ours we expect a certain number of firms to fail. The problem is not the failure of banks and S&L's per se, but who pays for those failures. Debt and equity investors are at risk when non-bank firms fail, but that is not the case with insured depository institutions. Bankers play the game heads I win and tails the insurance fund loses, and when the insurance funds go broke, the taxpayers lose.

To avoid taxpayer losses we can limit how banks use insured deposits. This can be accomplished in exactly the same way that State and local governments currently protect their deposits, that is they require banks to pledge a sufficient amount of short-term, high quality securities to cover their deposits. Likewise, insured deposits can be invested in pledged securities. It is real time based on current deposits thereby reducing potential losses to the insurance funds.

Requiring insured deposits to be pledged will encourage banks to raise funds from other sources. Thus, part of the burden of monitoring the safety and soundness of banks will be shifted from regulators to debt and equity investors in those banks. This gives debt and equity investors the same incentive to monitor the behavior of a banks as they have in monitoring any other investment. In other words, it induces market discipline.

Finally, this is the only proposal for deposit insurance that protect depositors and taxpayers from losses by backing up those deposits with short-term securities.

Finally, let me turn to structural weakness in our financial system that contributed to insider abuse by providing a large number of small banks, and that is we have laws on branch banking that add to large numbers of small banks which are the primary target of the fraudsters.

By way of illustration, there are approximately 13,400 insured, FDIC insured commercial banks. Of that total, 63 percent, 8,400 banks have total deposits of under $50 million, 3,600 banks, 27 percent, have total deposits of $25 million or less. Most of the banks that failed in States that restricted branch banking were relatively small banks. These are the easiest targets.

Let me close my remarks by saying that an inordinately large number of newly formed banks fail adding to the insurance fund's woes. Between half to two thirds of the de novo savings and loans chartered in the 1980 to 1982 period filed before 1987. The failure rate of commercial banks are substantially lower. Obviously there is something wrong with the requirements for chartering de novo financial institutions when only restaurants have a higher failure rate.

Thank you.

The **Chairman**. Mr. Gup, thank you very much.

[The complete prepared statement of Professor Benton Gup follows:]

Statement of

Benton E. Gup Ph.D.
Chair of Banking
The University of Alabama
Tuscaloosa, AL

Before the

U.S. Senate
Committee on Banking, Housing, and Urban Affairs

August 1, 1990

Mr. Chairman and members of the Committee, thank you for the opportunity to present my views on fraud at insured depository institutions, and possible statutory and regulatory reforms that may reduce the incidence of fraud in the future. You invited me here because I wrote a book, **Bank Fraud: Exposing the Hidden Threat to Financial Institutions**, (Rolling Meadows, Ill: Bank Administration Institute/Bankers Publishing Co., 1990).[1] The book explains the conditions that contributed to the current wave of frauds, case studies of how frauds are committed, how some frauds can be detected, and practices that financial institutions can follow to prevent fraud and insider abuse. Most of the examples presented here are in the book. I am pleased to share with you my thoughts on fraud at insured depository institutions which I will refer to as banks.

My comments are divided into two sections. The first concerns the nature of major frauds and insider abuse. One of the major points here is the relative ease of committing them. The second section concerns suggested reforms. It covers ways to prevent fraud from occurring, how to insulate the insurance fund and taxpayers from bank failures, and structural weakness in our financial system that contributes indirectly to fraud.

FRAUD AND INSIDER ABUSE

When asked why he robbed banks, legendary bank robber Willie Sutton is reputed to have said "because that's where the money is." We have all seen old cowboy movies where bank robbers were portrayed as tall, dark strangers who wore black outfits and carried large revolvers. The rode lean horses into frontier towns and sacked the local banks. Modern bank robbers are more likely to be well dressed insiders (officers, directors, and principal stockholders) and outsiders. They don't get the loot the old fashioned way. Instead of carrying guns and stealing thousands of dollars in coin and currency, they develop complex schemes and steal Millions of dollars individually, and Billions of dollars collectively.

Major frauds involve a variety of schemes including:

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[1] Dr. Gup is the author of eleven books dealing with banking and finance including: Commercial Bank Management, with D. Fraser and J. Kolari, New York: John Wiley & Sons, 1989; Bank Mergers: Current Issues and Perspectives, Norwell, Mass: Kluwer Academic Publishers, 1989; Cases in Bank Management, with C. Meiburg, New York: Macmillan, 1986; Management of Financial Institutions, 2nd. ed., Boston, Houghton Mifflin Co. 1984; Financial Intermediaries, Boston, Houghton Mifflin Co., 1980, and others.

. nominee loans - loans obtained by one person on behalf of another,

. linked financing - large deposits made with the understanding,

. land flips - transfer of land between related parties to inflate the value.

Linked financing and land flips are not necessarily illegal by themselves. In one deal, 6.7 acres of land was sold for $392,113. That same day it was sold again for $1,379,469. Empire Savings and Loan (Mesquite, Texas) loaned the borrower $1,414,531. Land flips usually occur in connection with willful misapplication of funds (18 U.S.C. 656, 961), making false statements (18 U.S.C. 1001, 1005, 1014), and other illegal activities (18 U.S.C 1344, etc.).

Our concern here is with major frauds and insider abuses associated with bank failures which, in turn, threaten the viability of our financial system. Major bank frauds and insider abuses are relatively easy to commit. Because of their covert nature they are hard to detect, and they are difficult to investigate, prosecute, and obtain a conviction. The mistrial (September 1989) in the seven month-long, 88-count fraud and racketeering trial against D. L. "Danny" Faulkner and six others is a case in point. This case involved Empire Savings and Loan (Mesquite, Texas), which was closed with losses of more than $170 million, not quite five years after it was acquired by Faulkner and others.

Fraud By Insiders

The easiest way to commit fraud and insider abuse at a bank is to own one, or be the dominant individual in control of one. Dominant individuals who control banks have unparalleled opportunities to abuse their positions and to use insured deposits and other bank funds for their personal gain. Every bank officer knows this is so and how to do it. One way to do it is by making loans that will directly or indirectly benefit the dominant individual. The loans may have very favorable terms, and may never be repaid. Fees for related services and kickbacks are also common techniques. Fortunately, most bank officers are honorable and they obey the law. Unfortunately, there are a sufficient number of crooked ones to bring us here today.

Our banking history is replete with the names of banks where insider abuse and fraud played a major role in their demise. Vernon Savings and Loan (Dallas, Texas), Sunbelt Savings and Loan, (Dallas, Texas), Florida Center Bank (Orlando, Florida), United American Bank Knoxville (Tennessee), and Penn Square Bank (Oklahoma City, Oklahoma) are a few notorious examples.

Lets take a closer look at Vernon, which was owned by Donald R. Dixon and others. During the 1982-1986 period, management followed an aggressive growth policy and total assets increased from $120 million to $1.3 billion. The growth was financed in part by high cost brokered deposits. The funds were used to finance speculative acquisition, development, and real estate loans which were characterized by deficient underwriting practices, including lack of appraisals. Bad real estate loans were swapped with Sunbelt Savings and Loan, a practice called a daisy chain, to inflate profits. Vernon also used other means to report profits when, in fact, they had a negative net worth of $350 million. When Vernon failed in 1987, 96 percent of its loans were delinquent. A FSLIC lawsuit for $350 million charged that Dixon and other officers looted Vernon's assets for their personal gain. Woody F. Lemons, former Chairman of the Board and Chief Executive Officer of Vernon Savings and Loan was one of the officers who defrauded Vernon. He received kickbacks from fees funded by Vernon in connection with a $46 million loan to finance real estate transactions. Vernon lost more than $18 million on that deal. In April, 1990, Lemons was sentenced to 30 years in jail.

Dallas, Texas based Sunbelt Savings and Loan was acquired in 1982 by Edwin T. McBirney III and others. In a four year period, he fueled its growth from $90 million in assets to $3.2 billion. Sunbelt had real estate and other interests in California, Florida, Georgia, and Illinois. Sunbelt set an industry record by losing $1.3 billion in the first three quarters of 1988. Shortly thereafter, the regulators took control of it. In July 1990, McBirney was indicted on 17 counts of fraud, misapplication of funds, and making false statements to regulators in a $700 million California real estate deal involving a California thrift - Western Savings and Loan. To date, thirteen Sunbelt officials, borrowers, and accountants have been convicted on various charges.

Major frauds cannot flourish in a vacuum. As shown in these examples, they require the cooperation of bank officers and directors in one or more banks over extended periods of time. The dominant individuals in the banks mentioned previously controlled their boards of directors. Weak and willing directors who breached their duties contributed significantly to the failure of their banks. A director of one bank did not question the former chairman because he owned the bank. The director thought the chairman/owner could do as he pleased. Such directors are a major part of the problem. These directors are as much at fault for bank failures as the dominant individuals who manipulated them.

The dominant individuals who commit bank fraud are frequently pillars of their respective communities. They are outgoing, charitable businessmen giving liberally to local causes. It is difficult to imagine that men of such fine character would do anything wrong. They wield considerable political power at the state and national levels. They take advantage of such political power to obtain funding for pet projects in which they have an interest, to intervene in the regulatory process affecting their banks, and for personal gain.

The list of insiders who are associated with failed banks includes Charles Keating Jr. (Lincoln Savings and Loan), David Paul (CenTrust Bank), Thomas Spiegle (Columbia Savings and Loan), and the others mentioned here.

Many of these individuals do not see themselves as criminals, nor what they are doing as wrong. They may not have intentionally set out to defraud a bank. Nevertheless, there is a thin line between insider abuse and fraud. What is fraud or not fraud is for a jury to decide.

While the fraud and insider abuse by insiders receive most of the media attention, fraud by outsiders rarely gets mentioned. Nevertheless, it is a major problem for regulators and the insurance fund when the defrauded banks fail.

Fraud by Outsiders

Loan/Deposit Brokers. There are predatory loan/deposit brokers who ferret out financially weak and failing banks. More often than not, these are small banks. Data on such banks is readily available in **Polk's Bank Directory** and in other public sources. The broker contacts an officer or director of the bank selected as the target, and explains that he has certain loans he is willing to place with that bank. These may be loans "that are too good to be true," and that under ordinary circumstances would be rejected by the banker. The broker will also arrange a "loan package" to include brokered deposits to finance those loans. Brokered deposits are provided by firms such as Mario Renda's First United Fund, Ltd. First United Fund engaged in linked financing with 17 banks, 14 of which failed. The brokered loans may be for 10 years or longer but the deposits are typically short-term. For example, Indian Springs Bank, Kansas City, Kansas, used brokered funds to grow from $6 million to more $50 million in assets, and it invested heavily in Hawaiian real estate developments that went bad. The bank failed. To avoid the appearance of out-of-territory loans, local escrows and nominees may be used.

Not all linked financing deals are associated with real estate. First Federal Savings and Loan Association, Beloit, Kansas, used brokered deposits to invest $5.6 million in a Hungarian movie called "Predator." It was about a rock band being chased by a man-eating bear. The movie was never finished and the loan went into default.

Brokers also facilitate the sale of participations in their loans to other banks throughout the nation. When the loans go bad, the banks that purchased them may fail too. Long before this occurs, the loan brokers got their fees and are out of the picture.

A key element here is the willingness of bankers to overlook sound banking practices and take deals "that are too good to be true" in order to save their jobs and their failing banks. According to one loan broker, bankers in this position are generally dumb, have ego problems, and are greedy. That's why they accept such deals.

Hit and Run. Outsiders intent on fraud may acquire controlling interest in the stock of failing banks at 20 to 50 cents on the dollar from disgruntled investors. Small banks in weak financial condition are the most likely targets because they are the least costly to acquire. Most small banks are owned and controlled by a few large shareholders. Stocks of such banks are not subject to the "market discipline" of thousands of stockholders, analysts, and investors asking questions about their operating practices and procedures. Equally important, the banks that have been targeted do not have strong internal controls, or effective boards of directors. If they did, they might not be in trouble. Finally, there was little or no regulatory control over who bought the stock. Although this is supposed to have changed, there are a lot ways crooks can mask their ownership.

The new owners of the bank install their own officers, pump up deposits, and make fraudulent loans. All of this can take place in a matter of weeks or months. Consider the case of Orrin Shad Jr. While he was on parole for serving a five year sentence for bank fraud, he took control of Ranchlander National Bank, Melvin, Texas. He didn't want to use his own name to buy the bank, so he hired an attractive secretary and used her name as the buyer. He paid for the bank by using bogus CDs. Then he installed a waitress as the president. They made fictitious loans with nonexistent collateral and he transferred millions of dollars to the Cayman Islands where he intended to retire. He also acquired First State Bank, Wells, Texas by paying a $50,000 kickback to obtain a fraudulent loan to finance its purchase. His banking career ended when the waitress/president of Ranchlander thought that Shad was going to kill her and she called the FBI. He was arrested one month before the end of his parole for his previous conviction.

SUGGESTED REFORMS

This section covers three interrelated subjects: regulatory reforms, deposit insurance, and structural weakness in our financial system.

Regulatory Reforms.

Are bank regulators doing an effective job in preventing fraud and insider abuse? The answers to that question are: 1) no, 2) yes, and 3) they can do some things better. Lets examine each of these answers briefly.

1. Most major frauds do not occur overnight. In each of the failed banks cited previously, regulators knew that the institutions engaged in unsafe, unsound, and possibly unlawful acts long before they failed. In the case of Butcher's United American Bank in Knoxville, regulators were aware of problems six years before it failed. One could argue that the regulators did not take decisive corrective actions in time to save some institutions from failure. Ergo, the regulators contributed to the problem - large numbers of bank failures. In other instances, some have argued that regulators contributed to the problem by closing the bank too early; and that given sufficient time, the banks would have returned to profitability. These few incidents stand out like beacons in the night and are the focus of public attention.

2. **Show of Force.** No public attention is paid to the many thousands of banks that survive and thrive because of the presence of regulators, examiners, rules and guidelines, which encourage correct behavior. But for the presence of regulators, other bankers might have gone astray. More intensive application of existing rules and guidelines is needed. In other words, the physical on-bank-site presence of regulators, and the enforcement of rules and guidelines has a deterrent affect on fraud. This approach, coupled with recommendations in 3a and 3b, are the most cost effective ways to prevent fraud and insider abuse, and to reduce the cost of bank failures to taxpayers.

3a. **Market Value Accounting.** Regulators can do a better job if they are provided with better information. One source of better information is **market value accounting** for financial statements that would help both regulators and investors evaluate the true net worth of banks. Currently we use historical value accounting which distorts the true net worth because it does not reflect changes in current values. Differences between regulatory accounting principles (RAP) and generally accepted accounting principles (GAAP) give rise to further distortions, but they are not addressed here. Furthermore, there is ample evidence that crooks "cook their books" to make banks appear to be in better financial condition than they are. For example, the auditor for Ramona Savings and Loan, Orange, California, issued a fraudulent statement that the S&L had a net worth of $8.3 million, when its new worth was actually a negative $19.6 million.

Market value accounting will aid in the early detection of insolvency. Such information may help regulators act more swiftly than they have in the past to close banks before they are insolvent, thereby saving the insurance fund and taxpayers money. Market value accounting has the added benefit of aiding the **market discipline** of investors of larger, publicly traded banks - another deterrent to major frauds. It may even make it more difficult to "cook the books" of these banks.

There are some technical problems involved in establishing market value accounting systems, but they are not insurmountable. If we can solve the problems of putting a man on the moon, we can certainly overcome such thorny issues as determining the market value of LDC loans or core deposits. To make such determinations will require different information than is currently reported. Information on cash flows and maturities are two examples.

3b. **Responsible Boards of Directors.** Although I do not have data to back up this point, my guess is that most directors of banks that failed due to fraud and insider abuse, had inadequate knowledge of banking or their responsibilities which makes them negligent. Alternatively, if they did have such knowledge, they may be criminal co-conspirators. In either case, it is clear that the regulators must make a greater effort to ensure that bank directors are doing the job they are supposed to be doing - being responsible for the welfare of their banks.

It is easier to prevent fraud than to detect it, prosecute it, and win. The most effective way to prevent bank fraud and insider abuse is to have active boards of directors, complying with the statues and regulations, and exercising its duties with diligence. When the directors fail to do so, and the bank fails due to fraud or insider abuse, they should be held accountable for their negligence, criminal misconduct, or both.

If it is more difficult in the future to attract and retain competent directors because being a director requires time and effort, because they are at risk if they fail in their duties, and because they will be under the regulator's watchful eyes, then so be it. The objective here is to improve the safety and soundness of the financial system by having active, competent, informed, directors; and to minimize the cost to the taxpayers for bank failures. This will go a long way toward preventing fraud and promoting a competitive, healthy financial system.

Pledging of Insured Deposits.

Fraud is closely related to deposit insurance because the crooks are gambling with insured deposits. The present deposit insurance system has flaws and must be changed. The changes have to be such that they promote the safety and soundness of our banking system, enhance competition, and at the same time insulate the insurance fund and taxpayers from bank failures due to fraud and other causes.

In a market system such as ours, we expect a certain number of firms to fail. The problem is not failure, *per se*, but who pays for them? Debt and equity investors are at risk when nonbank firms fail. But that is not the case when insured depository institutions fail. Bankers play the game "heads I win, tails the insurance fund loses." And when the insurance funds go broke, the taxpayers lose.

To avoid taxpayer loses, we can limit how banks use insured deposits. This can be accomplished in exactly the same way that state and local governments currently protect their deposits. That is, they require banks to pledge a sufficient amount of short-term, high quality securities to cover their deposits. Likewise, insured deposits can be invested in pledged securities. For expediency, I assume that all (100%) of the insured deposits are pledged. Because the pledging of deposits is not a new concept to banks, it has some definite advantages over other methods of deposit reform such as risk-adjusted insurance rates which are based on past performance. The pledging of deposits is "real-time" based on current deposits, thereby reducing potential losses to the insurance fund.

Requiring insured deposits to be pledged will raise the cost of funds for some banks, and reduce the returns for insured depositors. More important, it will reduce the cost bank failures to the deposit insurance fund and to taxpayers. Public policy is better served by shielding more than 100 million voting taxpayers from the costs of future bank failures than by shielding the profits of some banks.

Requiring insured deposits to be pledged will encourage banks to raise other sources of funds. Thus, part of the burden of monitoring the "safety and soundness" of banks will be shifted from regulators to debt and equity holders who invest in banks. Pledging insured deposits changes the risk/return mix from "heads the banker wins, tails the insurance fund loses," to heads the banker wins, tails the debt and equity investors lose." This gives debt and equity holders the same incentives to monitor the behavior of banks

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in which they have invested, as they have in monitoring their investments in Boeing, Philip Morris, McDonalds, or any other business concern. In other words, it induces **market discipline.** The market discipline can be enhanced by requiring banks to have market value accounting.

Stated otherwise, requiring insured deposits to be pledged will not stop fraud. Greedy individuals will find ways to steal from banks because that's where the money is. However, it shifts the burden of paying for bank failures from the insurance fund and taxpayers to debt and equity investors who now have an incentive to monitor bank behavior.

Requiring insured deposits to be pledged is consistent with expanding bank powers funded by noninsured funds. Such powers could come about with the repeal or modifications of the 1933 Glass-Steagall Act and the Bank Holding Company Act of 1956 which stand as barriers between banking and commerce. This is a structural weakness that is not discussed below.

Structural Weakness in Our Financial System.

Structural weakness in our financial system contributes indirectly to fraud and insider abuse by providing conditions conducive to bank failures and fraud. For example, rules that restrict branch banking and mergers contribute to bank failures by promoting large numbers of small banks that do not have sufficient capital to withstand adversity. By way of illustration, there are about 13,400 FDIC-insured commercial banks. Of that total, 8,400 (63%) have total deposits of $50 million or less, and 3,600 (27%) have total deposits of $25 million or less. Most of the banks that failed were in states that restricted branch banking. Most of the failed banks were relatively small. Recall that small, weak banks are the primary targets for outside fraudsters.

States have taken the lead in reducing barriers to mergers and branching by relaxing state laws and by creating regional pacts. Large banks have taken advantage of the new markets and have acquired a record number of smaller banks. When "home town" banks are acquired by holding companies headquartered elsewhere, it is not uncommon for new banks to be organized in the affected communities in order to retain "local ownership." Therefore the number of small banks has not changed appreciably in recent years.

An inordinately large number of newly formed banks fail, adding to the insurance fund's woes. Between half to two thirds of the de novo S&Ls chartered in the 1980 - 1982 period failed before 1987. The failure rates of de novo commercial banks are substantially lower. Obviously there is something wrong with the requirements for chartering de novo financial institutions when only restaurants have a higher failure rate.

SUMMARY

Major frauds against banks are profitable for the perpetrators because they are relatively easy to commit, had to detect, and difficult to prove. Major frauds will continue as long as there are people, greed, and money in and our system, and the likelihood of changing that is minimal. The best solutions to the problem are early detection and prevention. The following are highlights of my statement illustrating major types of frauds and recommendations for statutory and regulatory changes to deter them in the future.

Fraud by Insiders. The easiest way to commit fraud and insider abuse at a bank is to own one, or be the dominant individual in control of one. The term bank refers to insured depository institutions. Dominant individuals who control banks have unparalleled opportunities to abuse their positions and to use insured deposits and other bank funds for their personal gain. Every bank officer knows this is so and how to do it. The common methods involve improper loans, kickbacks and fees. Fortunately, most bank officers are honorable and they obey the law. Unfortunately, there are a sufficient number of crooked ones to bring us here today. The list of insiders associated with frauds and insider abuse includes Donald R. Dixon (Lincoln Savings and Loan), Edwin T. McBirney III (Sunbelt Savings and Loan), Charles Keating Jr. (Lincoln Savings and Loan) and Jake Butcher (United American Bank Knoxville), and others.

Major frauds cannot flourish in a vacuum as suggested from the previous examples. They require the cooperation of bank officers and directors in one or more banks over extended periods of time. The dominant individuals in the banks mentioned previously controlled their boards of directors. Weak and willing directors who breached their duties contributed significantly to the failure of their banks. They are as much at fault for bank failures as the dominant individuals who manipulated them.

Fraud by insiders receives most of the media coverage but fraud by outsiders is more important in terms of the number of banks involved.

Fraud by Outsiders. Loan/Deposit Brokers. There are predatory loan/deposit brokers who ferret out financially weak and failing banks. More often than not, these are small banks. The broker contacts an officer or director of the bank selected as the target, and explains that he has certain loans he is willing to place with that bank. These may be loans "that are too good to be true," and that under ordinary circumstances would be rejected by the banker. Moreover, the broker will also arrange a "loan package" to include brokered deposits to finance those loans. The brokered loans may be for 10 years or longer but the deposits are typically short-term, and may be "rolled over." The loans turn sour, and the banks fail.

Hit and Run. Outsiders intent on fraud may acquire controlling interest in the stock of failing banks at 20 to 50 cents on the dollar from disgruntled investors. Small banks in weak financial condition are the most likely targets because they are the least costly to acquire. Most small banks are owned and controlled by a few large shareholders. Equally important, the banks that have been targeted do not have strong internal controls, or effective boards of directors. If they did, they might not be in trouble. The new owners of the bank install their own officers, pump up deposits, and make fraudulent loans. All of this can take place in a matter of weeks or months.

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securities. It will encourage banks to raise other sources of funds. Thus, part of the burden of monitoring the "safety and soundness" of banks will be shifted from regulators to debt and equity holders who invest in banks. It also shifts the burden of paying for bank failures from the insurance fund and taxpayers to debt and equity investors who now have an incentive to monitor bank behavior. It induces market discipline. Public policy is better served by shielding more than 100 million voting taxpayers from the costs of future bank failures than by shielding the profits of some banks.

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The CHAIRMAN. Mr. Maffeo, we would be pleased to hear from you now.

STATEMENT OF J. BRUCE MAFFEO, ATTORNEY, NEW YORK, NY

Mr. MAFFEO. Thank you very much, Senator Riegle, and my thanks to the other members of this committee for having invited me to share some of my experience in prosecuting and investigating fraud in the bank and savings and loan industry.

As a member of the Justice Department's Organized Crime and Racketeering Section between 1985 until 1989 I supervised the Department's investigation into First United Fund, which was at the time perhaps the Nation's, or one of the Nation's leading deposit brokers.

Now the story of that investigation, outside of having some marginal anecdotal value, I think pinpoints some of the very real difficulties confronting Justice Department attorneys and investigators in conducting these investigations, and I think maybe highlights some of the very real practical limitations on expecting Justice Department investigators or lawyers to mount a comprehensive attack on the savings and loan and fraud problem.

Let me give you some figures by way of developing what I mean.

In 1984 when I was first assigned to the First United Fund investigation, the company has just completed its most successful year. Money brokers, as the members of committee and also the other witnesses today, as you are all familiar, essentially broker the deposits from institutional investors such as pension funds and credit and loans into a variety of small banks and savings and loans which are offering rates of interest that are wildly and in excess of those offered by the so-called prime banks on the East Coast.

Now in 1984, as I said, when I first became involved with First United, they had just in 1983 alone brokered some $5 billion worth of deposits to approximately 5,000 institutions.

The company had had such a successful year, it had entered negotiations with a major Wall Street brokerage firm, and the president of the company had become to be lionized both in social and business circles in New York.

When we first became involved in the case, it was after attorneys for the FDIC, who had been conducting a parallel investigation into First United's involvement in several failed banks in Kansas and the Southwest, had asked a local Federal U.S. attorney's office to undertake a criminal investigation into First United.

For reasons that are best known to the local U.S. attorney, but which I can entirely sympathize with, they simply were unable at that point to commit the type of manpower and resources that the investigation seemed to require at that time, and they were entirely correct as it turned out.

By largely a fluke, the case was referring to my office, which was a field office of the Organized Crime and Racketeering Section, and after that, between 1984 and 1988, I and approximately between four and five, depending on the time, four agents worked virtually full time on unraveling the case.

Now the case ultimately ended up, I guess it would be chalked up as a success for the prosecution. The president of the company as well as the two chief executives were convicted of racketeering and related offenses arising out of their skimming some $16 million from a total of $100 million in pension money from two labor unions that was invested in a variety of savings and loans.

But I think that to the extent that my testimony has any current interest, it's how we went from 1984 to the conviction in 1988 so that you have sort of a hands-on understanding of what these cases and investigating these cases involve.

In 1984, in September 1984 we started the investigation off by executing a search warrant at the headquarters of First United Fund on Long Island. Seventy-two hours of search activity followed around the clock involving a team of 25 agents. At the end of those 3 days we had assembled 25 cabinet files of material that had yet to be gone through. They had been passed through just to see whether it fell within the four corners of the warrant and it had yet to be analyzed by any of the agencies.

Within 2 days of the search warrant's execution we came up through use of a forthwith subpoena with 5 additional cabinet files of material that had been secreted in Hawaii. So before the investigation got off the starting point, we had literally 30 file cabinets of materials to start to pour through.

Over the course of the next 3 years before the case was indicted I issued over 500 grand jury subpoenas addressed to both individuals and banking and savings and loan institutional literally across the country. This was a New York based investigation which had testimony from bank officials as far away as California with all spots in between.

There were over 200 field interviews conducted by the agents involved in the case, and by field interviews I am excluding simple interviews with respect to document requests. I'm talking about substantive field interviews that I assigned to the two senior agents in the case to conduct of people I thought were peripherally either subjects of potential targets of the investigation.

In addition to the 200 field interviews, there were over 100 grand jury witnesses who appeared before the grand jury sitting in Brooklyn that heard this case.

Now of those 100 grand jury witnesses, in large part because there was a very coordinated defense strategy by the targets of the investigation, I would hazard the recollection that at least two-thirds of them invoked, as was their right, their fifth amendment privilege. That itself required me to undertake an examination, whether or not I wanted to go ahead, and seek the approval to grant the immunity from the Chief of the Criminal Division, and in going into that assessment obviously was a question of whether or not these individuals' testimony outweighed the possible prosecution that they might encounter either in my case or in related jurisdictions.

Notwithstanding the issuance of the subpoenas and the immunization of the witnesses, once they got in the grand jury, if it was a witness who had anything substantive to say, it was largely a full-blown cross-examination of that witness, which spanned on some occasions three separate appearances in the grand jury.

Putting to one side subpoenaing the materials, and analyzing the materials, the case also became bogged down at several points because of litigation either over the search warrant that had been issued, litigation over the issuance of subpoenas, litigation involving our attempts to trace the funds overseas, all of which requires briefing, argument and decision on the District Court level and in my case at least one full-blown appeal to the Second Circuit Court of Appeals.

The lesson that I learned, if there is any lesson to be learned from the First United investigation, was that the simple addition of manpower alone is not going to accelerate the process of investigating these cases. There are very strong institutional limits of the sort that I've just described that inherently slow down any criminal investigation.

On top of that, there was the systemic problem that the Department has faced, and it faced it while I was there for 5 years and continues to face it now if the testimony of the other witnesses is to be believed, and that is how this information can be organized.

There was no question in the case of First United Fund that the evidence and materials that we garnered during the course of that investigation were of potential valuable use to any U.S. attorney's office conducting an investigation into a failure of a bank or savings and loan in their jurisdiction.

I would hazard the observation that there is no failed institution that has come under either regulatory scrutiny or investigative scrutiny since 1984 that did not accept broker deposits in a large amount from First United.

Now the point that I'm making is simply this. There was absolutely no mechanism in place then at the Justice Department and there is no mechanism in place at the Justice Department to effectively coordinate the investigation that is being conducted in the various U.S. attorney's offices or in my case at the Organized Crime Strike Force Field Offices.

There is an anecdotal network, an informal network built up between the agents. If the FBI is good for anything, it certainly is at stapling paper and indexing, and there is an informal network there that can be tapped into.

But as far as warehousing this information and getting it from any of the various offices that may be conducting related investigations, there simply was no structure in place.

The final point that I would make, and again it's more of a systemic complaint, or not complaint, I think probably observation would be the better word, is that a lot of these cases, I have to be frank with the committee, perhaps should not be pursued criminally.

There are a number of these cases that because of the constraints and the limitations that I have alluded to in my remarks are perhaps triaged and left to a handling through either civil suit or perhaps civil forfeiture.

It seems to me, and again I speak perhaps with somewhat of an outdated experience, but for whatever it's worth, it would appear to me that there is going to have to be some centralized decision-making authority, whether it's inside the Department or outside the Department, that is going to make the hard-headed decisions of what cases we are prepared to prosecute in investigate criminally and what cases are we best prepared to relegate them to civil remedies, as I said, either by way of civil forfeiture or civil racketeering suits.

Neither that mechanism nor the mechanism of this sort of centralized warehouse of information that I described above were in place, and it seems to me without some changes along those lines that quite a bit of the current legislation is really going to go for naught.

I thank you all for giving me the opportunity to speak to you.

[The complete prepared statement of Mr. Bruce Maffeo follows:]

STATEMENT OF J. BRUCE MAFFEO
BEFORE THE UNITED STATES SENATE COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS
ON AUGUST 1, 1990

Let me take this opportunity to thank the members of this Committee for inviting me to testify on the issue of fraud in America's banks and thrifts. As a former member of the Justice Department's Organized Crime and Racketeering Section between 1984 until its demise in 1989, I supervised the Department's investigation into one of the largest money brokers in this country, First United Fund ("First United"). That prosecution provides a case study which I believe illustrates many of the limitations on law enforcement's role in coordinating an effective response to fraud in the banking and savings and loan industries.

By way of background, money brokers, of which First United was the most notorious, negotiate the investment of large blocks of money carried in the investment portfolios of institutional investors such as pension plans and credit unions. After breaking this money into $100,000 blocks to comport with federal insurance coverage, the brokers then shop it, for a commission, with banks and savings and loans offering high rates of return. In the case of my office's prosecution of First United, the company's three top executives were convicted of racketeering and related offenses arising from their skimming $16 million in commissions paid as a result of their brokering nearly $100 million from the combined pension plans of two labor unions. This money was invested for terms of up to 20 years in a total of 18 banks and S&Ls, 15 of whom later failed or were placed under some sort of regulatory supervision.

When I first was assigned to the First United investigation in the fall of 1984, the company recently had completed its most successful year during which it brokered some $5 billion dollars in deposits to over 5,000 institutions. During that same period, both the company and its president, Mario Renda, had come to enjoy increasing acceptance in financial and social circles to the point where Renda sat on the board of trustees of a local business school and had entered into negotiations to sell his company to an established Wall Street brokerage firm.

Despite its appearance of respectability, however, cracks had begun to appear in First United's facade. The company had been publicly questioned by Congress for its role in brokering deposits into the then recently failed Penn Square Bank. Several trade papers, notably American Banker and National Thrift News, had run a series of articles spotlighting First United's involvement in "linked financing," a three-way arrangement where funds were placed with an institution pursuant to the express agreement that the money in turn would be loaned to specified borrowers. By 1984, several of these "linked finance" deals already had caused the collapse of one Kansas bank, Indian Spring State Bank, and later contributed to the collapse of several other banks and S&Ls in that area. At the same time, during the course of court-authorized electronic surveillance conducted by my office into organized crime's extortion of airfreight companies at J.F.K. Airport in New York, First United had been identified as a conduit through which targets of the investigation had laundered several hundred thousand dollars in cash into bearer bonds.

As a result of some of these developments, in the summer of 1984, outside counsel retained by the FDIC began to prepare a civil suit against First United for its role in the failure of Indian Springs State Bank. At the same time, the FDIC attorneys approached the Kansas United States Attorney's Office and asked them to initiate an investigation into First United's activities at that bank and a number of others in the region that had come under regulatory scrutiny for their loan practices. The FDIC's request was turned down by the local federal prosecutors because the scope of the investigation required a commitment of manpower and resources that that office was unprepared to meet. The FDIC subsequently approached the Organized Crime and Racketeering Section and was referred to the Brooklyn Strike Force, which had jurisdiction over the geographical area where First United Fund was headquartered. After meeting with FDIC's outside counsel and undertaking a week-long crash course in the intricacies of deposit brokering, my office applied for and received court authorization for a search warrant directed at securing most of First United's books and records, including computer tapes. As a result of the search, which proceeded around the clock for 72 hours and occupied a team of over two dozen agents, some 25 cabinet files of materials were seized.

The successful execution of the search warrant on First United's offices marked only the beginning of a four-year investigation that came to consume much of my professional life as well as that of the team of agents who worked with me. The problems that we encountered in pursuing that investigation were by no means unique and are likely to recur in any broad based fraud investigation involving banks or savings and loan institutions. Some rough numbers illustrate the magnitude and persistence of the difficulties confronted.

1. In terms of manpower, I worked virtually full-time on the First United investigation for close to four years, including trial. Three agencies, the IRS, F.B.I., and Department of Labor, contributed a total of four agents, three of whom were assigned full-time to the First United case.

2. In addition to the documents seized during the search of First United's offices, over 500 grand jury subpoenas were issued calling for either documents or testimony. In excess of 200 field interviews were conducted in over a dozen states. These figures exclude the time spent in preparing for and eliciting testimony from the close to 100 witnesses who appeared before the grand jury

that heard this case. Due to a well coordinated defense by the targets of the investigation, most of these witnesses agreed to testify only after first being granted immunity, itself a time consuming process. Even then, the witnesses' testimony was typically hostile and required extensive cross-examination often spanning several appearances. Additionally, the defense exploited every legal opportunity to frustrate the investigation's progress, resulting in protracted litigation at the district court level and at least one full appeal to the circuit court.

3. Notwithstanding the stated preference of the Criminal Division that the Brooklyn Strike Force control the overall First United investigation, no less than two separate turf fights erupted between my office and competing offices. In addition to these internal problems, the understandable interests of the FDIC and FSLIC in pursuing parallel civil actions, often involving the same witnesses who were testifying as part of the criminal inquiry, provided a constant source of potential conflict. A head-on collision between the civil and criminal investigations was avoided at a number of turns solely as a result of the professional relationship between my office and the lead outside counsel for the FDIC. An additional source of conflict surfaced at the conclusion of the prosecution when forfeiture orders totalling some $9 million were awarded, leaving little if any provision for restitution to the agencies and public affected by First United's criminal activity.

In addition to the problems that I have described above, which were resolved with differing degrees of success, the investigation suffered from a serious shortcoming in the area of disseminating leads and information that had been developed and which were of interest to related investigations across the country. Because of the absence of any centralized clearing house for information discovered in this investigation and others, much less any coordination of prosecutorial efforts, access to this information was left largely to chance or informal contacts that had been developed by myself and the agents.

If any lessons are to be learned from the First United investigation, it is that experience on the part of the agents and attorneys assigned will in the long run prove more important than the simple infusion of extra bodies and money. Additionally, the very nature of these prosecutions requires a substantial expenditure of time particularly where many of the criminal acts were committed in the early to mid-Eighties and the investigative trail now has run cold. As a result of these factors, any effective coordination of prosecutorial effort most include a hardheaded recognition that some cases are more appropriately handled in the civil forum. The harsh but inescapable truth is that while we can take steps to improve the prosecutorial response to fraud in the banking and S&L industries, law enforcement alone cannot redress the problem.

The CHAIRMAN. Well, I think you have given us, all of you together, but this last testimony particularly really helps eliminate the difficulty of the complexity of these cases and the volume of these cases. I think it's a very striking fact that we were told earlier by Mr. Fogel that we've got more bank fraud cases going than we have S&L fraud cases going. I mean I think the public would be astonished to find that out because the impression is to the reverse because of the scale of the collapse in the savings and loan industry.

But I think it also shows how the Justice Department and the justice system can become overwhelmed in that fact that it took you 4 years in that case and they were fighting you every inch of the way it sounds like with delaying tactics and challenges of one sort and another, and you had a team. I mean you're obviously a very high competent attorney to head that effort and you had others working with you, and it basically took you, if I understand it right, about 4 years of solid effort to bring that case to conclusion. Is that correct?

Mr. MAFFEO. That's correct, and I would hazard the observation, and again this is perhaps tooting my own horn, but by the time I had started the First United investigation I had been a prosecutor for 6 years, and I can say with all candor that I learned as much in the 4 years I was conducting this case as I had in the 6 years previous.

My point being that you are going to need attorneys of commensurate, if not superior experience if you expect them to keep their heads above water when they are litigating people who are clearly going to be defended by equally competent attorneys who know every trick.

The CHAIRMAN. The best criminal lawyers in the country presumably are being hired by people in this situation, aren't they? I mean wouldn't you be up against normally the best and the most expensive and high-powered lawyers on the other side of the table?

Mr. MAFFEO. The Organized Crime and Racketeering Section drew its fair share of high caliber attorneys, if for no other reason than the fact that our targets had sufficient funds to retain them.

The CHAIRMAN. Right.

Mr. MAFFEO. But I don't know if that's true across the board with all local prosecutors offices.

The CHAIRMAN. Now last week, Chairman Seidman told the Senate Judiciary Committee, that the FDIC had somewhat over 500 investigators and staff investigating 942 active claims and investigations. Does that sound like enough people spread across that number of cases given the type of complexity that you found in this case that you've cited?

Mr. MAFFEO. It's hard to tell because I don't know what else is on their plate. I mean I literally had every other case assigned removed from me when I was conducting this investigation. So it's hard for me to tell just off those numbers how much they have by way of backup personnel and what other responsibilities they have.

The CHAIRMAN. Let me yield the rest of my time to Senator Shelby. He must go and preside here shortly.

Senator SHELBY. Thank you, Mr. Chairman. Thank you for yielding.

Is the FBI, and I'll ask Mr. Maffeo, is the FBI as presently constituted competent to do this job? In other words, this is not a pasting and clipping and looking up stuff. You're dealing with a highly sophisticated type bank fraud on many, many layers. Do they have the personnel there to do it? A lot of people have questioned that.

Mr. MAFFEO. I had three agencies actually working for me, IRS, the Department of Labor and the FBI, and I think as in any agency or any organization, you know, you have good agents and you have bad agents. I was extraordinarily lucky, or it wasn't lucky, we pushed to get senior agents assigned from each of the three agencies and, quite frankly, whatever successes——

Senator SHELBY. So you had good people.

Mr. MAFFEO. I had good people, but I pressed for good people, and I insisted on good people. If you have young, inexperienced, whether they be people, whether they be attorneys or agents, you're going to end up that much farther behind the eight ball.

So to answer your question, the FBI has extraordinarily gifted investigators, and it's going to be a question of what sort of veteran manpower they are going to pump into these cases.

Senator SHELBY. But they could be real thin in places, could they not, as far as experience?

Mr. MAFFEO. Oh, sure. It's not just unique to the Bureau. It's true of both the IRS and the Department of Labor in that respect also.

Senator SHELBY. Let me ask you this question. How do you distinguish between insider abuse and actual bank fraud? Is that a factual deal, is that who crosses the line here and there, or sometimes is it hard to distinguish that?

Mr. MAFFEO. Well, it's sort of like obscenity. I know it when I see it, you know.

Senator SHELBY. OK, but it's hard to describe.

Mr. MAFFEO. I mean the bottom line is a lot of these cases when you strip a lot of the documents really come down to basic common law fraud. The money goes south. The money ends up where it shouldn't be, and there are a variety of statements and mechanisms to hide it.

Senator SHELBY. Just trace the paper?

Mr. MAFFEO. Follow the money.

Senator SHELBY. Follow the money always, and sometimes that's hard to do in these kinds of situations.

Mr. MAFFEO. Well especially when it flips overseas.

Senator SHELBY. Dr. Gup, let me ask you this. You've written a lot of books and you've spent I guess most of your life dealing with the banks. What is as far as regulators are concerned, what should they do to prevent for the future what is already occurring today?

Mr. GUP. I think they are going to have to focus more on the board of directors who has the ultimate responsibility for the welfare of these organizations. Most of their activities are at the lower levels counting cash in vaults and things like that, and that is a waste of time.

Senator SHELBY. Not just ratifying something.

Mr. GUP. That's right. They have to put a lot more pressure on the directors. That's No. 1. I do believe that the physical presence of regulators in the banks on a regular basis is a deterrent effect on fraud. We're talking about fraud and insider abuse as though it's tremendously widespread. Keep in mind there are roughly 14,000 banks out there and most of them don't commit fraud to any great extent when if they have a wonderful opportunity to do so.

Senator SHELBY. But if you've got good regulators in there, it's probably the best deterrent.

Mr. GUP. At least if you have regulators in there running around all the time enforcing what rules do exist, it certainly is a deterrent of fraud.

Senator SHELBY. Where were the regulators in the savings and loan scandals? Where were they?

Mr. GUP. The regulators were more advocates than they were regulators, and they were quite short in numbers, particularly in Texas.

Senator SHELBY. Say that again.

Mr. GUP. The regulators of the savings and loan industry were advocates of the industry rather than regulators in the sense that the OCC——

Senator SHELBY. No adversarial relationship at all then?

Mr. GUP. That's my understanding.

Senator SHELBY. And the result we see ourselves.

Mr. GUP. Yes.

Senator SHELBY. And the taxpayers will feel it for 40 years.

Mr. GUP. A long time.

The CHAIRMAN. Were you going to comment, Mr. Maffeo?

Mr. MAFFEO. I think Mr. Gup has covered that accurately. The only point I would make is that again we used a lot of the regulators reports as source material in trying to determine whether or not there was any reason to go ahead and follow up an investigation at a particular savings and loan, and the reports varied wildly. I mean there were some of them that I thought were almost prosecution memos. They were well done, intensive examinations and there were others that were little more than Xeroxes of reports that had been issued a year before.

Senator SHELBY. Do you believe overall that the Justice Department as headed by the current Attorney General gets a high grade for what they are doing thus far in prosecution of the savings and loan scandals?

Mr. MAFFEO. I have a tremendous amount of respect and fondness for the Department, I will say that. With respect to the Attorney General, obviously in the case of the Strike Forces, I have differed from him in his decision to terminate them.

I think that he has a view of prosecutorial deregulation that perhaps is not going to be adequate to mounting a coordinated law enforcement response to the problem, but that's a different philosophy, and I can respect his opinion. I just happen to differ with it.

Senator SHELBY. It seems to me that if we have ever needed a strike force, it's right now for this particular reason.

Mr. MAFFEO. Well, you have a strike force. In fact, the Department is currently proposing essentially to resurrect the Organized Crime Strike Force under the concept or at least under the guise of a Financial Strike Force. But the point I think that that argument leaves unanswered is who is going to be coordinating responses, whether it be of the 93 U.S. attorney's offices or the 27 field offices, and if you don't have a coordinated response at the top, and I'm not sure that the Special Counsel proposal fits the bill in this connection, then you're just essentially going to have a gerrymandered prosecutorial response, which is where it is now.

Senator SHELBY. Mr. Chairman, thank you for yielding to me.

The CHAIRMAN. Thank you, Senator Shelby. Senator Bond.

Senator BOND. Thank you, Mr. Chairman.

Mr. Maffeo, I believe that your prosecution of Mr. Renda took place in my back yard in Kansas City and you got 2 years and a $10 million restitution from him. Is my memory correct?

Mr. MAFFEO. No, that was my colleagues in your back yard. They took a plea from Renda after we had convicted him of racketeering and used him as a witness. Renda was sentenced to 4 years in jail and fined I believe $9 million in forfeiture and restitution and cooperated with my office in a number of follow-up investigations that currently are being undertaken by other offices around the country.

Senator BOND. And then he got the additional?

Mr. MAFFEO. The 2 years was just a tag-along plea from our brother colleagues in the Kansas City Strike Force.

Senator BOND. OK. I know you pointed out the problems with criminal prosecution, but that one seemed to me to have sort of a nice little ring to it the way it came out. Don't you think that does send a good signal where you have a major criminal enterprise that people who are involved in it are going to face some hard jail time? I mean you wouldn't deny that there has to be that hammer at some point to deter it, or would you say, or am I mistaken, are you saying let's just go after them with civil prosecution?

Mr. MAFFEO. Oh, no, no. Please don't mistake me. I think that, you know, vigorous criminal prosecutions are absolutely required. All I'm suggesting is that all of these bank and savings and loan institutions, particularly when you're talking about criminal activity that largely occurred or in many cases occurred in the mid to early 1980's, a lot of these cases just may not be worth the manpower and the expenditure of time to try and mount a criminal prosecution.

I think that you have to have some sort of selectivity in what cases you are going to expend, the type of time and resources you found in First United Fund case and what cases that you think you might get a bigger bang for your buck if you went the way of civil forfeiture or civil RICO. I mean I think that that's a prosecutorial type decision that is going to have to be made, but I certainly don't mean to suggest that all criminal prosecutions should be subordinated or relegated to the civil forum.

Senator BOND. Well, that's good because I had been citing the unfortunate circumstances of Mr. Renda as one of the best arguments that we have to continue to put the resources in it because it sends a very clear message.

I'm interested in hearing from you as one who has been in the system how you think the Federal Government is doing in deciding the questions of whether to go civil or criminal. Are there multiple investigations or do you know if the FBI gets into something that you may think is going to be a United Funds, but turns out to be more adequately handled as a civil recovery? Does the FBI provide that information to an FDIC attorney investigating the case, and does that system work?

Mr. MAFFEO. I think right now it's pretty much—I mean again my experience somewhat stops a year ago, although since I've been in private practice I've seen some of what is going on in ongoing investigations. I mean I think right now it's pretty much haphazard. I think it varies both within U.S. attorney's offices and from one U.S. attorney office to another.

I know there is a tremendous amount of tripping over everybody's shoes in the context of parallel criminal and civil proceedings. There was a immense problem in the First United Fund case because the FDIC had a parallel case against First United. We obviously had a criminal grand jury case. There is a Federal Rule 6C prohibition against our sharing information with the FDIC, and obviously from just the simple standpoint of not wanting to get our witnesses (a) revealed and (b) deposed, we found ourselves essentially urging the FDIC at a number of turns to shut down their civil case or at least subordinate it until the conclusion of the Federal case.

My point is that that problem is going to be recreated in every U.S. attorney's office that is undertaking a fraud investigation, and I have no sense that there has been any sort of coordinated or any sort of decision made across the boards as to how that type of problem is going to be handled.

You see people scurrying around the same sets of evidence, one from a civil standpoint and one from a criminal, and the only person is going to benefit is the target of the investigation.

Senator BOND. That's the problem that has bothered us, has bothered me and the rest of this committee since we've been looking at it. Do you have a solution? How do we get out of that because that is really a sort of distressing and really depressing thought that we are limited in our resources and we're overlapping and duplicating. What can be done to get out of that mess?

Mr. MAFFEO. Triage the cases. I mean you're going to have to sit down and take a hard look at exactly what investigations are on the plate, and then you're going to have to make the hard type of decision that prosecutors make very day of the week, which is these cases we go with and those cases we don't.

As to those cases that we don't proceed against criminally, they should either be relegated for civil prosecution by the Justice Department, the RTC or the FDIC, but just don't waste manpower having outside counsel calling up and assisting U.S. attorneys calling up an assistant U.S. attorney wanting to know if he can depose a witness in the shared care.

As defense lawyer now I love it because the disorganization plays into my hand, but as a prosecutor it just made me pull my hair out.

Senator BOND. Well, the decision on the triage is going to have to be lodged some place. Is that appropriately lodged in the Department of Justice, and I know that our friends from the FDIC and RTC would not be happy with that answer, but I mean is that the logical place and should there be a focal point in Justice?

Mr. MAFFEO. I believe that to the extent the decision turns on whether or not you want to proceed criminally versus civilly, that decision is singularly within the province and should be within the province of the Justice Department with I would hasten to add, you know, informed consent from the RTC, which causes its own problems by sharing grand jury material.

I think there has to be a joint sort of pooling of intelligence, but I think the final decision on whether or not to go criminally versus civilly is properly the Department's.

Senator BOND. Well, I apologize for not giving you enough opportunity to comment on that, Dr. Gup, and maybe you would want to offer something along those lines, but I also would like you to address one point that comes out of your testimony.

I couldn't agree with you more that the boards of directors have really fallen down on the job, and in here we have been cheering on people who are saying we are going after the directors who have participated in criminal frauds.

A major business magazine that I read this past week said that one of the real problems we're going to run into in recruiting competent, qualified, experienced professionals to serve as directors has been the expansion of liability and the holding responsible of the D&O insurers for these losses which could either drive directors out or make the D&O insurance so expensive that there would be tremendous economic costs.

Do you have any comments on that, and I don't know whether you've seen the article?

Mr. GUP. I saw the article, and I read it. It is a problem, and one of the problems is the proliferation of very small institutions that are just not capable of attracting quality directors, and we have overcapacity in the financial system. The better quality directors as a general matter are in the larger financial institutions and perhaps this speaks to a broader problem and that what we are looking at is symtomatic, of a sick financial institution that has to change and be brought up to date to enter the next century. We are living with rules and a system that was created back in the 1930's and it's just not capable for dealing with this now.

This goes back to that issue I talked about on branch banking where it creates a large number of small banks where you can't get competent management and you can't get competent directors, and those are the primary targets for the crooks.

Senator BOND. You know we don't have branch banks in Missouri. [Laughter.]

Thank you, Mr. Chairman.

The CHAIRMAN. I want you to be able to continue, but if you will yield to me for one minute here on that very point because it loops around and catches some of our other discussion that we're having on financial modernization and whether we need a consolidation for a lot of reasons, international competitive reasons, attracting and getting good boards of directors that are competent and that there can be enough of them to handle these jobs to be able to consolidate the regulatory and supervisory functions so we can do a better job of keeping track of what is going on out there.

I was struck by the fact that we've heard from these witnesses today that a lot of these frauds that have developed in smaller outfits and in new outfits, and if you go back to the 1980's there were a whole lot of new institutions chartered in the 1980's. I mean there was a burst of new charters given out in financial institutions, and I suspect that there is an overlap here. In other words, that that was a fertile development, if you will, given all these other factors for people who wanted to come in and take advantage of that opportunity with insured deposits at the other end were able to do so. And if that's right, then the whole question of how do you in a comprehensive restructuring, a large part of which we have already enacted, it may very well be that some consolidation is required partly to be able to get our supervisory and regulatory and fiduciary arms around the scope and scale of this problem.

It's a hard thought because we tend to be a nation that thinks so much in terms of in a sense backing the Government out. In other words, we are still enough of a frontier country with a wide open market philosophy that probably reached its peak in the 1980's.

But it sounds to me like we are hearing more and more roads that are leading to sort of a central concept that says if you've going to have Federal deposit insurance on the line and the taxpayer backing up the system, you're going to have to have a system that is very competently run and very well supervised. It can't be incompetent and venal and scattered all over the countryside in a way that we wake up one day and find out that, whether it's $150 billion or you add up the interest costs over 30 or 40 years and a hugh sum of money has disappeared.

But I'm struck by that because it seems to me that some of these things are starting to lace together, but I would like you, if you would, to continue with that line of questioning if you're interested in doing so.

Senator BOND. That brings around some inferences that our staff has drawn in looking over the available evidence that has come before us, and something that really struck me, and it may point in a different direction from what we have just been discussing about the small institutions and the newly chartered ones.

The evidence we have seems to suggest that at least 50 percent of the FBI bank fraud and embezzlement investigations involving estimated losses of $100,000 or more come from 5 States, Texas, California, Florida, New York and Illinois. That would suggest that it isn't always the smallest or most far flung.

Does that figure sound reasonable to the three of you, and do any of you have thoughts on why that might be the case?

Mr. GUP. The largest number of the frauds are occurring in the small banks because the small banks have inadequate controls and they are easier to dominate, and the Texas, Florida, California situation is where we had this growth taking off at astronomical rates. I don't have any particular answer for the one in Illinois.

Senator BOND. Mr. Fogel.

Mr. FOGEL. We don't have any specific information on where it's occurring. But I would like to take this opportunity to raise an issue that we are concerned about because I think it gets to a point that Mr. Maffeo made and you made earlier, Senator, about what type of actions can Justice take to better coordinate this. I think Mr. Maffeo really highlighted what our concern is in the work we are doing now for this committee in tracking what's happening.

We are unfortunately in a situation now with the Justice Department where we don't think we can get proper access to some information we think we need just to get exactly at the type of issue that Mr. Maffeo was talking about. That has to do with how they are allocating the resources to the priority cases that the regulators think the Justice Department ought to pursue.

We don't want access to the investigative files. We don't in any way want to intrude into the prosecutorial decisions that quite appropriately the Justice Department and the U.S. attorneys have to make. But as of today, and we are still pursuing this, the Justice Department has denied us access to information that we think is absolutely critical to finding out how they are allocating the resources, and it gets to this exact point.

Now we are still trying to work this through with them, and it might be something you might want to ask the Attorney General about tomorrow. But I don't think that we feel we can do the job that you've asked us to do unless we have a good understanding of the priorities that the regulators have sent over to Justice and how Justice is allocating its resources to those cases. Yesterday the Deputy Attorney General denied us access to information that we think we need to do that.

Senator BOND. Pardon my smile. Once upon a time in bygone years I was State auditor and spent a good deal of my time suing the Department of Revenue trying to get access to their files to find out what they were doing.

If I may take just a minute.

The CHAIRMAN. Please.

Senator BOND. They had a very strange incident, and it happened three straight Friday afternoons. We expected it to happen once, but a spontaneous fire broke out on five different and not connected shelves in the Record Department of the Department of Revenue. It did that three Fridays within a 2-month period. [Laughter.]

And the thing that proved to us was that even the Department of Revenue was not sufficiently organized to combine all that they wanted to burn in one fire. [Laughter.]

It would have been far easier had they burned it all at once, but it was a recurring Friday phenomenon, and it usually happened about 3 o'clock and we would see the fire engines going over there.

Well, so much for that historical fact.

Dr. Gup has cited his view that the small institutions are really the groundwork for the fraud and the losses. Yet it seems that only recently have we begun moving to larger and larger institutions and historically we've had very small institutions. Yet it seems that the level of incidents of fraud in the Nation's banks as well as thrifts, and the bank side of it is something that hasn't been discussed a lot but is of great concern to us.

Why this increase in fraud? The institutions are getting larger, but there seems to be more fraud. Are we just finding out about it, or is there something here we're missing?

Do you have a thought on that, Dr. Gup?

Mr. GUP. Yes, several thoughts. No. 1, we are only looking at the unsuccessful frauds, that is those that have been detected. We don't have any idea whatsoever how many of those frauds have been successful.

The big banks are better able to write off some of these frauds or losses as loan losses and we really don't know what's going on in there. At least they have sufficient capital to withstand the kinds of losses that would wipe out a smaller bank.

Most of the frauds that we're hearing about today and that are being prosecuted now really occurred back in the early 1980's, and they were associated with the boom and bust Southwest phenomena that was going on, and because of the long-time investigation, approximately 3 years by the FBI and the long time in trial, for example, of a year or so, the crimes that are surfacing now are really those that perpetrated then.

So it was the boom and bust period that is bringing it to the foreground now. The crimes that are being detected now won't hit the courts for another 3 to 5 years, and then it will be in appeals and it will be another 6 or 7 years before that's over.

Senator BOND. But there was a large group of these crimes in the 1980's.

Mr. GUP. In the early 1980's, that's right. I would guess though as the economy slow down we are going to see more of this surfacing in other areas such as the southeast and the northeast. When you look at the delinquent real estate loans in Connecticut, Massachusetts, Florida and so on, we're bound to find some there, too.

Senator BOND. Mr. Fogel.

Mr. FOGEL. I don't think we have any particular views on that to add to that, except that we would support, as Dr. Gup pointed out, the idea when you look at boards of directors, I think we are concerned about too much liability on them. But one way you could really strengthen what the boards do is to strengthen the audit committees of the boards of directors.

One of our views is those audit committees, for example, ought to have a lawyer on them so they can be truly independent. Independence is a key check for the other members of the board to be able to really rely on that audit committee to do its job fairly thoroughly. That should raise fairly early financial concerns to the board if the audit committee is really looking carefully at what is going on with a financial institution, whether it's a small bank, a large bank or whatever.

Senator BOND. Mr. Maffeo, any thoughts from your experience?

Mr. MAFFEO. On which topic, the audit committee?

Senator BOND. Well, I was thinking on the incidence of bank frauds more on the basis of your prosecutorial background. Is there anything that has brought about an increase in the incidence of bank and thrift fraud?

Mr. MAFFEO. I think what it really boils down to, and obviously the Southwest was the most extreme example, but we found in our case banks and savings and loans in Montana, the Northwest, Central Midwest, Maryland, I mean there were a number of banks that all were caught up in this sort of go-go economy.

A lot of the fraud ended up with phony real estate deals. I mean that's really what you saw over and over and over again, and you really didn't have to be terribly inventive to find it. There would be one or two large projects that went sour, and if you started digging underneath that you usually saw the usual accumulation of inside dealing, nominee transfers and the like.

So I guess to answer your question, I think it wasn't unique to any given geographical area. It was probably all motivated by the real estate boom in the mid-80's, and also the fact of brokered money and the deregulation on interest. I mean brokered money was literally the financial equivalent of crack. You saw small savings and loan institutions and small banks all of the sudden pumped up on steroids with a $10 million asset, which was nothing more than an accumulation of brokered money that they had to pay back the principal on in terms as long as 60 days, and in some cases they were hung out to dry for as long as 20 years with interest payments that were extortionate by any other measure. So they had that rock in their knapsack just going out of the gate.

Senator BOND. Did $100,000 deposit insurance facilitate that, or is that irrelevant.

Mr. MAFFEO. Now it's irrelevant. I know that back in 1984, largely from Chairman Gray, there was a tremendous ground swell of opposition developing against the whole concept of broker deposits, but it was legal. It was legal then and it's legal now. So the problem was really more a regulatory one than a criminal violation. It's just the infusion of this money. I mean it's an incentive for anyone to go wild.

Senator BOND. Well, gentlemen, thank you very much from my part for a very informative discussion. I know the Chairman is very busy and so are you. So I won't hold up people from having lunch.

The CHAIRMAN. Well, I want to thank you again, Senator Bond, for helping to center the committee's attention on these issues, and of course today sort of lays the foundation for tomorrow because we are going to have the Attorney General in here to talk about what is going on in the Justice Department, what is the organizational structure, is that there central command and, to the extent there is, how are they sort out which cases to go after.

It seems to me one of the things that I draw from—let me digress just for one minute. I think in response to the last question of whether or not deposit insurance had something to do with this, I think the reason all these broker deposits went out there was the fact that there was deposit insurance. I mean if those money brokers had not known that the taxpayer was on the hook to cover the repayment of that money, you know, all those hundreds of billions of dollars would not have been available to make their way into a lot of this improper activity that you cite.

Mr. MAFFEO. Just to amplify, and I know the time is running short, when Renda eventually testified at the trial of his remaining codefendant, he made it very clear that it was by his lights and that of any other deposit broker a fool-proof scheme, no crime prohibiting it, and as far as his clients, the investors, full faith guarantee that they would get their money back, and if the banks and savings and loans failed, that was the public's problem, not his.

The CHAIRMAN. Now the way we have endeavored to fix that, and you make a very good point about the fact that broker deposits still exist. The way we came at that in the bill is we shaved off all the activities that we could see taking place that were being financed by broker deposits. So we got rid of junk bonds, we got rid of direct investment in real estate, we stopped the ability of States to just broaden and create these State chartered institutions with these wide open charters and a whole host of other things.

So we went in and we raised what we call the QTL Test which was to force the S&L's back into the home lending business to a very major degree and more than many wanted to do. So by that means you cut off places where any kind of deposits, brokered or otherwise, could go.

But you are quite right in saying that brokered deposits as such still exist out there, although I think they are far more benign, but I'm not totally convinced of that. That's one of the reasons we are tracking now what is going on in the banking system right now because the whole question of money that is being sucked through that brokered deposit network and going out, you know, we are trying to size up the bank problem and understand that and make sure that we are ahead of any emerging problem there.

We were talking about the insurance funds yesterday, but when you start looking at the erosion of bank balance sheets, which is what we are seeing now as these real estate values go down so sharply pretty much all across the country, and you see some of these bridge loans for leverage buyouts under real pressure as well and other kinds of asset values losing value, the whole question of how much capital is left out there is a cushion between the liabilities in the insurance fund before you get to the requirement of the Government having to pay is a very, very serious issue.

Yesterday Mr. Seidman didn't get a lot of attention, but he made a very important differentiation with other experts we've heard from like Alan Greenspan in saying that capital alone isn't sufficient. I mean you can't assume that because you've got what looks like an adequate capital cushion in there that that's going to keep you from burning through and getting into a situation where you may deplete your insurance fund.

Now obviously it's a very important factor and it's not all or nothing situation, but I think more and more it's clear that you need a host of safeguards. You need competent directors, you need accounting firms that aren't for sale in the sense of sort of looking the other way and doctoring the numbers, you need a good regulatory system, you need competent law, you know, you need a whole host of things in a regulated environment if you are going to get the public policy outcome that you want.

I wanted to find out why is real estate the place where so much of this fraud goes on? I mean what is there inherent in what sucks that kind of activity into real estate principally?

Can you answer that, Mr. Gup?

Mr. Gup. Yes. Real estate was the principal activity of the savings and loan associations, and it wasn't just plain real estate. It was largely the acquisition and development loans of these large real estate projects that led as in the Falker case in Dallas and Empire Savings and Loan, huge real estate developments.

I think we can be misled if we only look at real estate. We don't have to go back very far, however, to look at Penn Square and see there were oil loans in that case and commercial loans in the case of UAB Knoxville. So it's real estate right now, but there is fraud in every one of those areas.

The CHAIRMAN. Let me ask you a different question, and I know our time is running out and I've got a vote here, but I'm very interested in Senator Bond's thinking on this as well. It sounds to me like the scale of the task out there is so large that the difficulty of putting these cases together requires top-notch lawyers on the Government's side. It takes a long period of time, it can take 4 years to 8 years, and you run through the appeals and so forth.

So obviously we've got to make some judgments as a Government as to who we go after. Obviously you want to try to recover all the money you can through civil proceedings or other proceedings, but I would be interested in your thoughts as a strategy as you sort out how you target investigatory resources and recovery effort resources, how should we decide? Should there be 20 high profile cases taken in different parts of the country so that we really create some vivid examples that hopefully people won't forget about for a while, or how should we think through the question of aiming this concentrated dose of resources at this very, very large universe of problem situations?

What is your thought on that, Mr. Maffeo?

Mr. MAFFEO. I mean it's somewhat daunting just because of the sheer numbers involved, but I think the way you best go about it, I mean first of all there has been a lot of intelligence and investigative information developed on a number of these institutions right now. So it's not like we are going into this blind.

You should be able at this point if you wanted, if you were the Attorney General, to get a pretty good sense of exactly what is out there with the various institutional investigations. They may not have a case anywhere close to indictment, but they should be sufficiently far along that they can tell you whether this looks like it's going to pay off or whether it looks like it's just going to take a lot of time and you're not quite sure whether there is going to be a payout at the end, payout investigative-wise.

So I simply think it just comes down to taking a hard look at each of the case files, and I know that that's somewhat simplistic because the case files certainly aren't the sort that I can carry around in my briefcase.

The CHAIRMAN. Well, you had 30 file cabinets in one case.

Mr. MAFFEO. But you could have talked to me within three months and I would have told whether this case was going to likely eventuate in a criminal prosecution. So take a look at it and dump those cases that just don't appear as if they are going to work out and don't waste the time.

The CHAIRMAN. Mr. Gup, any thought on that?

Mr. GUP. No, I don't have any additional thoughts.

The CHAIRMAN. Mr. Fogel, I don't know that you want to venture an opinion.

Mr. FOGEL. No.

The CHAIRMAN. Senator Bond, did you have any final comment to make?

Senator BOND. No. I think we're probably getting down to the time we ought to run.

Again, I very much appreciate the testimony of the witnesses. I know we could spend many more hours in conversation, but they have certainly given us some good things to chew on.

I appreciate very much your going forward with these hearings, Mr. Chairman, again.

The **Chairman**. Well, we're going to continue to do it.

I thank the witnesses and join Senator Bond in those compliments to you.

Thank you.

The committee stands in recess.

[The committee recessed at 12:25 p.m., subject to the call of the Chair.]

FRAUD IN AMERICA'S INSURED DEPOSITORY INSTITUTIONS

THURSDAY, AUGUST 2, 1990

U.S. SENATE,
COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS,
Washington, DC.

The committee met at 10:32 a.m., in room SD-539 of the Dirksen Senate Office Building, Senator Donald W. Riegle, Jr. (chairman of the committee) presiding.

Present: Senators Riegle, Dixon, Shelby, Kerry, Graham, Bryan, Wirth, Sasser, Dodd, Sarbanes, Garn, Heinz, Gramm, Bond, Mack, Kassebaum, Pressler, and D'Amato.

OPENING STATEMENT OF CHAIRMAN RIEGLE

The CHAIRMAN. The committee will come to order.

Let me welcome all of those in attendance this morning. We're getting a late start because we had a vote occur on the Senate floor right at 10.

I might also say that the Attorney General who is scheduled to appear here this morning has been delayed because of the events in Iraq and Kuwait and is attending a National Security Council meeting.

So the time of his arrival is not known at this time, but understandably, he must be present at that meeting. When he arrives, we'll deal with his testimony at that time.

Bill Seidman is here now and I think we'll start with Mr. Seidman. I have some brief opening comments. I think also I'm going to suggest this morning, in light of the late start for the events that I've just described, that I'm going to call on everybody for opening comments, but I'm going to try to shorten mine and I'd like to suggest that, to the extent we can, that we keep our comments somewhat brief so that we can move ahead with this witness.

Today, as a follow-up hearing to the hearing that we had yesterday on fraud in America's depository institutions, I think we're very fortunate today to have two people in the best position to discuss this subject with us—Bill Seidman, the head of the FDIC, and also, with the Attorney General, Richard Thornburgh.

The role of the FDIC and the RTC in pursuing bank and thrift fraud is not generally understood. The focus tends to be in a public way on other things.

Bill Seidman probably has as much experience in having to engage in that kind of activity as almost anyone in Government. And so, he'll have some important things to say to us today.

The FDIC and the RTC are an important part of the Federal Government's efforts to pursue those that commit fraud against our depository institutions. And at present, those two agencies are litigating over 500 ongoing lawsuits against former officers, directors, and professional advisors to failed banks and to savings and loans.

And over 1300 failed institutions, including 550 commercial banks, are now under FDIC or RTC investigation.

Through the efforts of these agencies, as Mr. Seidman's testimony indicates, the taxpayers have thus far recovered something over $300 million in the first 6 months of 1990, just this year.

The Attorney General, of course, is very familiar to this committee and appeared here back in February 1989, almost a year and a half ago. He estimated at that time that the losses from fraud in the thrift industry might total $8 to $10 billion.

There have been a lot of estimates since that time. A year and a half has gone by. We'll be interested to see what his view is on that.

Finally, I'm going to make the rest of my statement a part of the record, but will just conclude by saying that as those who participated in yesterday's hearing will recall, and very particularly Senator Bond, we had a person who had participated for years in the Justice Department as a strike force prosecutor dealing with this kind of fraud who testified, I thought, quite ably, about the complexity of these cases.

He cited one case where there were 30 file cabinets' worth of documents. It took years to go through this case, put the case together, and finally take it successfully to conclusion, convict somebody, send them to jail and also effect a financial recovery.

So the degree to which there is good coordination on the scale of problems that we see between the RTC, the FDIC, the Department of Justice I think is a key issue, as to whether or not we're maximizing the effective use of our resources, and this is something that we would like to understand as well as we can today.

[The complete prepared statement of Chairman Riegle follows:]

PREPARED STATEMENT OF CHAIRMAN RIEGLE

Today, the committee convenes its second of two hearings on fraud in America's depository institutions. We are fortunate to have two very distinguished witnesses with us this morning: the Attorney General of the United States, Mr. Richard Thornburgh, and William Seidman, who is Chairman of both the FDIC and the RTC.

Mr. Seidman, of course, is a familiar face to this committee. Indeed, he appeared before us just 2 days ago to testify on another subject. But the role of the FDIC and the RTC in pursuing bank and thrift fraud is not generally understood and that is why we invited him to testify on that topic here today.

The FDIC and the RTC are an important part of the Federal Government's effort's to pursue the perpetrators of fraud against our depository institutions. At present, those two agencies are litigating over 500 ongoing lawsuits against former officers, directors, and professional advisors to failed banks and thrifts. And over 1,300 failed institutions—including 550 commercial banks—are under FDIC or RTC investigation. Through the efforts of those agencies, as Mr. Seidman's testimony notes, the taxpayers have recovered over $300 million in the first 6 months of 1990 alone.

The Attorney General is also familiar to this committee. In a previous appearance here—back in February 1989—almost a year and a half ago you estimated that losses from fraud in the thrift industry might total $8-10 billion. There have been a lot of estimates since then, and I will be interested to learn whether he stands by his original figure.

I might also note that on that previous appearance, the Attorney General expressed doubts about whether the $50 million in additional prosecutorial resources contained in what was then the President's proposed savings and loan legislation could be recovered through the prosecutorial efforts of his Department. It is important to get your current numbering—in light of pending proposals to substantially increase the $75 million provided by FIRREA.

In addition to discussing what is going on inside each of their respective agencies, I hope today's witnesses will also discuss the level of coordinated effort. Available evidence suggests that the RTC, the FDIC, and the Justice Department all face substantial bank fraud investigation and litigation tasks. Just as an example, the GAO told us yesterday that the FBI has a backlog of over 21,000 criminal referrals as yet unaddressed. And these cases are not simple affairs: another witness yesterday, a former Justice Department prosecutor, recounted how a single medium-sized case could involve 25 file cabinets of documents. With burdens of that magnitude, close coordination between our civil and criminal authorities is vital so we can avoid duplicative investigations and lawsuits.

With those observations, I want to welcome Mr. Thornburgh and Mr. Seidman back before the committee again this morning, and I look forward to hearing from them.

Let me yield to Senator Garn.

OPENING STATEMENT OF SENATOR GARN

Senator GARN. Thank you, Mr. Chairman. I'm pleased to welcome Chairman Seidman back again. I asked him if he wanted to move in, with the amount of time that he has spent here recently.

We were certainly pleased when the administration submitted its fraud prosecution package. We were pleased that we were able to come up with a compromise between many members' plans, as well as the administration, and add that as an amendment to the crime bill.

I hope that we're able to get that enacted soon so that those new powers and authorities can be made available, particularly to the Justice Department, and that we will have given all the tools necessary to go after the S&L crooks.

As I said at yesterday's hearing, bank and thrift fraud have serious implications that make them, I believe, much worse than other types of white collar crime.

The reason I said that and repeat it again today is because the taxpayers stand behind those deposit funds and they are not just stealing from an institution; they are stealing from the taxpayers.

So, ultimately, we want to bring those people to justice and punish them and recover as much money as we can.

But having said that, and feeling that very strongly, I want to make the point that there's something much more fundamental here. Because it's so much fun and popular to talk about getting the crooks and putting them in jail, I hope that we don't overlook the fact that we have some systemic problems that have gone on for a long time, and a Congress that has refused to address them.

And the fundamental problem of the S&L crisis started back in the early 1970's, due to interest rate mismatch. It didn't have anything to do with crime, fraud, and abuse at that time. You don't have to be too bright to figure out, that if you've got a 21-percent prime and you're a specialized institution that is only allowed to make mortgage loans, and you've got millions of them out at 6, 7, 8, and 9 percent and you have to pay 17 percent on the short-term markets for deposits, you're going to go broke.

That is hardly talked about, and the nature of the relationship of deposit insurance and powers and commercial banks.

So I would hope, as important as this is and as strongly as I feel about it, that we not be diverted from the need to continue with the hearings that have been held and next year act on some modernization of this system. Because until we make some systemic changes in the regulatory process, as well as the powers area and in deposit insurance, we're not out of the woods on this thing.

We have a system that, in many cases, is old-fashioned and archaic. And to eliminate another such thing in the banking industry and the savings and loan industry in the future, we've got to go beyond just punishing criminals, and make certain that Congress has some responsibility in revising and modernizing the whole financial structure of this country, which for 20 years, the House of Representatives particularly has refused to do.

Thank you, Mr. Chairman.

The **Chairman**. Thank you, Senator Garn.

Senator Dixon.

OPENING STATEMENT OF SENATOR DIXON

Senator **Dixon**. Mr. Chairman, I'm pleased to be here today for this second day of hearings on prosecution of financial fraud in thrifts and banks across the United States.

Yesterday, I said that the essential question before us is—is the Federal Government doing all it can to bring to justice those who have committed criminal or civil fraud and to recover as much money as possible?

We have different witnesses today, but that question is still our primary focus—does the Justice Department, does the RTC, and do the regulatory agencies have proper procedures and sufficient resources in place?

Yesterday, two witnesses testified that the Justice Department lacks proper coordination efforts. A recent newspaper account showed that Justice has substituted, not added, prosecutorial resources with the additional appropriation Congress provided.

Testimony given yesterday also called for many of the cases to be pursued through civil forfeiture rather than criminal prosecution. But procedures do not appear to be in place to move along such cases expeditiously.

I remain concerned, Mr. Chairman, that the Federal Government must address absolutely as many of these cases as possible. The American Treasury has been robbed blind and those who stole should go to jail and should lose their assets. Those who were reckless or negligent in their professional duties must also pay a high price.

Although some recent improvements in the prosecutions are evident, I'm not satisfied, and I think too many people are still enjoying their country clubs while the country pays the bills for the bad deeds.

The **Chairman**. Thank you, Senator Dixon.

Senator **Gramm**. I beg your pardon. Senator Heinz?

Senator HEINZ. Mr. Chairman, there are other people who came in ahead of me.

The CHAIRMAN. Very good. Senator Gramm?

OPENING REMARKS OF SENATOR GRAMM

Senator GRAMM. Mr. Chairman, let me thank Mr. Seidman for being here.

I think we have a real opportunity to strengthen the process. I think we have seen a tremendous amount of breastbeating in the Congress on this issue. And I think we have a golden opportunity to get Congress to do what needs to be done to minimize taxpayer cost and to get on with the job of solving the problem.

I want to commend you on your excellent record at the FDIC. I think you can be proud of your service. The FDIC is one of the most efficient and best agencies in the Federal Government. And I think you have been only the latest of a long line of good people that have served the public well in that post.

I just wanted to take this opportunity to tell you that.

Mr. SEIDMAN. Thank you, Senator.

The CHAIRMAN. Very good. Senator Shelby?

Senator SHELBY. Thank you, Mr. Chairman. I have an opening statement that I'd like to be made part of the record.

The CHAIRMAN. We'll make it part of the record.

OPENING STATEMENT OF SENATOR SHELBY

Senator SHELBY. I have a few comments.

First, I want to join Senator Gramm, Mr. Seidman, on commending you for exemplary public service. We are especially grateful to you here on the Banking Committee. And we hope you will be around for a long time, in some capacity, because we've benefited from your wisdom and leadership in the past and we could use it in the future.

As far as fraud is concerned, there are a lot of types of bank fraud, many which could be prevented by regulation and supervision.

Unfortunately, we can't discuss all of them today. But central to the issue of financial institution fraud, it seems to me, is who runs these banks? In other words, what type of people are buying these banks? Who's sitting on these boards? Who's rubber-stamping these fraudulent and abusive schemes?

It brings to mind the acquisition of the bank in Oklahoma by Mr. Fail and the Bluebonnet Savings deal in Texas. Obviously, somebody was asleep at the watch or maybe the watchman was letting it go on under his watch.

Who knows?

But when someone like Mr. Fail, who's been run out of my State of Alabama, as you well know, several years ago—what? 1975 or 1976, can buy a number of savings and loans with such a sweetheart deal from the Federal Government, putting up $1,000 of his own money and borrowed money, something's wrong with the acquisition process.

Was that fraud there? It begs the question. I don't know the details of the bank in Oklahoma. Was it a similar situation there?

But I think when you start talking about fraud, you've got to start talking about preventing the fraud, and you can do a lot of that by watching who obtains a bank charter, who acquires these sweetheart deals at the expense of the taxpayer, because if you see these kinds of people, more than likely they've been in trouble all their life. And if they straighten up, I'll be surprised.

The CHAIRMAN. Thank you, Senator Shelby.

Senator Bond.

OPENING STATEMENT OF SENATOR BOND

Senator BOND. Thank you, Mr. Chairman. We're delighted to have Chairman Seidman back one more time to testify before us today.

I want to point out one statement I made earlier. I wanted to make sure there was no confusion over the matter.

I have said that Bill Seidman is precisely the kind of person we would need on the S&L commission, which I hope will move this week to study and report to the people of America and the Congress on what went wrong in the savings and loan industry.

But that's my second choice as to where I'd like to see Bill Seidman because I appreciate the work he is doing now and I join with my colleague from Alabama in saying, wherever Bill Seidman is and whatever he chooses to do, we intend to rely on him very heavily as we deal with this and the other problems that face us.

Mr. Seidman, we have been very pleased to see that in the actions brought by your fee counsel, the FDIC was able to use some of the strong statements we made on the Senate floor about the need to recover every dime we can. And I hope those comments will be helpful for you.

But as our ranking member has said, fraud is only one part of the problem. We see a lot broader area of changes that must be made to prevent losses through sloppiness, banality, stupidity, and just poor practices.

We will look forward as we begin work next year, not only on deposit insurance reform, but on reform of financial institutions, structure and regulation for your guidance.

I thank you and look forward to your comments.

Mr. SEIDMAN. Thank you, Senator.

The CHAIRMAN. Very good. Senator Kerry.

OPENING STATEMENT OF SENATOR KERRY

Senator KERRY. Mr. Chairman, thank you.

I was unable to be here yesterday because I was chairing a small business committee hearing. So I'm particularly glad there is a second round of these hearings because I think they're most important.

I want to first of all join my colleagues in applauding the job done by Bill Seidman. I think that I personally have great respect for the job you've done, as do my colleagues, I think. You have really worked with scarce resources, and most importantly, I think you've been willing to tell it like it is. You've been willing to sound the alarm with bad news, rather than try to hide the bad news, which is part of what led us to the problem we have.

I think even when the challenge is tough, you've laid it out, and I congratulate for that.

Mr. SEIDMAN. Thank you.

Senator KERRY. But I think today, and I particularly want to hear from the Attorney General, there's a very important purpose in this hearing. And that is for all of us to have a better sharing of information and a better understanding of what the level of fraud is and what the nature of the fraud is in the S&L crisis.

The S&L fraud issue is not going to resolve the S&L crisis. I think we understand that. But it is a vital component of giving confidence back to the citizens of this country that the Government knows what it's doing and is willing to do what it ought to do.

And with the announcement yesterday and earlier of $100 billion being asked for next year, sort of open-ended nature to this S&L crisis, I think more and more citizens are concerned that every aspect of the crisis be stop-gapped. And the fraud one is particularly disturbing.

Mr. Seidman, you have said that as many as 60 percent of the cases may involve fraud.

On the other end of the scale, we've got economist Bert Ely, who has followed this as closely as anybody in the country, who says it may only be $5 billion worth, and says it's basically fraudulent to suggest that fraud is a major component of the problem.

So nobody knows really what to believe.

On the other hand, we also have the FBI, allegedly, with 9,000 bank fraud cases that they're currently investigating and literally tens of millions of documents that they have seized which they have to review.

Everyone I've talked to says the FBI doesn't have the resources. I think the FBI—I think our entire criminal justice system is swamped—more murders in cities of this country than we've ever had before, a court system that's already clogged. And now we've got the S&L crisis on top of that.

So I think at today's hearing, it's going to be important for us to really make some inquiries regarding the resources that are available. What is the true nature of this fraud? And I think the American citizen has the right to expect that we're going to get to the bottom of it.

Now, what I've been learning is that there have been land-flips, daisy-chains, ponzy schemes, laundering schemes, all kinds of extraordinary efforts out there. And if you read the book, "Inside Job," there are disturbing allegations regarding organized crime, having in rampant fashion engaged in financial crime.

I don't think we've begun to scratch the surface of it. And Mr. Seidman, I hope today that you and the Attorney General, if he ultimately gets here, will help shed some light on that, because I think Congress has its work cut out for it to get to the bottom of it.

The CHAIRMAN. Thank you, Senator Kerry.

Senator Mack.

Senator MACK. Mr. Chairman, I have no opening statement and look forward to the statements by Mr. Seidman.

The CHAIRMAN. Thank you. Senator Bryan.

OPENING REMARKS OF SENATOR BRYAN

Senator BRYAN. Thank you very much, Mr. Chairman.

I have an opening statement that I'd like to ask be made a part of the record.

The CHAIRMAN. Without objection, it will be made a part of the record.

Senator BRYAN. I just have a couple of comments, if I may.

Let me associate myself, Mr. Seidman, with the comments of my other colleagues, in terms of respect that we have for you personally and, in particular, the candor with which you have addressed this issue.

I think it's very comforting when you hear all of these various conflicting reports of what happened and how it happened and where it happened and what's likely to happen in the future, to think that your credibility remains high in the sense that I think you've been forthright with us, and I think that's been very helpful.

It seems to me, rather than how we got here and all of that, which will be debated for the rest of this century, I think our focus ought to be, how can we manage those assets that have come under the control of the Federal Government to minimize to the taxpayer the ultimate cost and conversely, to maximize the return on those?

And I'm interested, as I think all of us are, in working with you and whomever your successor may be, to make sure that you have the tools to do the job, the resources, the structure, the authority by law.

And finally, with respect to the fraud thing, it's only now I think dawning on the public that there is in fact a linkage between what is ultimately going to be a cost borne by the taxpayer—that is, an increase in taxes—and the level of fraud that occurred.

That linkage hasn't heretofore been made. But I think now there's an understanding, it's not something we discuss in Washington and talk about, that the American taxpayer is ultimately going to be the one that bears that responsibility.

In that sense, too, I think we need to hear from you in terms of how we can make your job more effective and what limitations you feel that you face, that you need help in terms of resources or change in structure, modifications.

And I think a lot of us want to work with you, Mr. Seidman, to make sure that that job can be done more effectively.

I thank you, Mr. Chairman.

[The complete prepared statement of Senator Bryan follows:]

PREPARED STATEMENT OF SENATOR RICHARD BRYAN

Mr. Chairman, thank you for holding this hearing.

As the cost of the savings and loan bailout continues to escalate, I am struck by the number of victims of the collapse. We have the American taxpayer on the hook for one-half a trillion dollars. We have stock and bond holders of savings and loans who find their investments worthless. We have lifetime customers of savings and loans forced to change their long established banking practices. We have local governments deprived of property tax revenue. We have the needy, who depend on Government programs, facing severe cuts in services, due to the bailout costs. And before this disaster has run its course, I am afraid we will have dealt a harsh blow to our efforts to improve our competitiveness in the international marketplace.

We are facing an extreme situation, and it calls for strong measures. Every day, we hear of greater abuses. We hear of the FSLIC deals of 1988, which may end up costing the Government over $50 billion. We hear of a savings and loan industry lawyer refusing to answer a Senate subcommittee subpoena. We hear of the President's son's "sweet deal" when he was a 30 year old director of a high-flying savings and loan. We hear of the purchase of a savings and loan with a $1,000 down payment. We hear of a savings and loan criminal narrowly escaping the authorities as he lives the high life in Europe.

What we don't hear too much about is prosecution and restitution. I am pleased that the Justice Department has finally awakened and turned its attention to the scandals which led to this disaster. Nevertheless, much remains to be done. Yesterday, this committee heard testimony from several witnesses who all had serious concerns regarding the internal structure of the Justice Department, and the Department's institutional ability to deal with a crisis of this magnitude.

The attitude of the Department of Justice has long been a subject of concern for me. In February 1989, Attorney General Thornburgh testified before this committee, and warned us that only a small fraction of the funds pilfered from savings and loans could be recovered. This is simply not acceptable. I realize that much of the cost of the bailout is due to mismanagement and bad investments, and that this money can not be recovered. I am certain, however, that hundreds of millions of dollars were simply stolen from the savings and loans, and the American taxpayer.

I want these funds recovered. I want these criminals behind bars.

The difficulties associated with this type of prosecution are well documented. As a former State attorney general, I sympathize with the Department of Justice's position. Some may say that the cost and effort involved with these investigations are not justified by the results. The claim can be made that asset recovery is too small, and that prison sentences are too short. I don't agree—and I think I can safely say that the American people don't agree either. American taxpayers have come to the realization that they will be footing the bill for the savings and loan free-for-all of the last decade—the least we can do is ensure that no-one whose misconduct lead to the savings and loan collapse will enjoy the fruits of their misdeeds.

There is a strong consensus in Congress that the Justice Department must act now to prosecute these criminals. Every passing day allows savings and loan crooks to fade further into the background.

I understand that at yesterday's hearing a member of this committee asked the General Accounting Office to research and evaluate the options available to us concerning the 1988 FSLIC deals—I look forward to the GAO's report, and urge the Justice Department and the bank regulatory agencies to conduct their own studies of these costly arrangements.

Mr. Chairman, thank you again for holding this hearing. I look forward to asking Mr. Seidman and Attorney General Thornburgh some questions.

Mr. **SEIDMAN**. Thank you, Senator.

The **CHAIRMAN**. Thank you, Senator Bryan. Before I call on Senator Kassebaum, I want to announce that this morning, we're going to be voting on the nominations of three individuals. I'm going to recommend that we report them favorably.

They are the nominations of: Timothy McBride, to be an Assistant Secretary of Commerce; Mr. Schauerte, to be the Federal Insurance Administrator; and Bert Corneby, to the Superintendent of the Mint of the United States at West Point.

We do have a quorum present. Rather than actually call the roll, I'm going to ask the clerk to go by and ask each member how they wish to be recorded so that we can move along.

Senator Kassebaum.

Senator **KASSEBAUM**. Thank you, Mr. Chairman. I'll wait until my turn comes for questions.

The **CHAIRMAN**. Very good. Senator Graham.

Senator **GRAHAM**. Mr. Chairman, I have an opening statement that I would like to submit for the record.

The **CHAIRMAN**. We'll make it a part of the record.

[The statement follows:]

OPENING STATEMENT OF SENATOR BOB GRAHAM

Senator **Graham**. Mr. Chairman, I congratulate you on holding these 2 days of hearings on bank and thrift fraud. In the deregulated and unsupervised 1980's, savings and loan ripoffs produced royalty in this country—people who lived like kings with other people's money. It's time to dethrone the S&L royalty. It's time for the S&L kings to return their jewels bought with depositors' money.

Title XX of the Anti-Crime bill passed by the Senate in July creates an S&L crime unit and Office of Special Counsel for financial institutions crime unit which was an idea originally conceived by Senators Wirth, Dixon, and myself. Under our crime unit amendment a new office of special counsel within the Department of Justice is created and then a series of task force units will be created to bring greater institutional capacity to deal with those people who have broken the law, who have engaged in fraudulent activities, and who are now benefiting by the proceeds of those criminal and fraudulent activities.

The essential idea of such a structure is that the persons who had that single responsibility were responsible and accountable. Also you had the ability of individuals to gain wisdom and understanding and insight as to how to prosecute these especially difficult cases.

Finally this person could direct personnel to the appropriate locations to help overburdened U.S. attorneys who now suddenly take on a new, highly sophisticated area of investigation and prosecution.

Yesterday Mr. Maffeo, who supervised one of the Justice Department's largest money broker investigations, said the biggest problem he had was coordinating information and prosecutorial efforts. Mr. Maffeo also said nothing was more important than "experience on the part of the agents and attorneys assigned—rather than the simple infusion of extra bodies and money."

I believe the financial institutions crime unit amendment along with final passage of a financial institutions crime bill is necessary to give the Justice Department greater capacity to deal with illegal activity and to give the American people greater confidence that there is somebody who is concerned, accountable, and capable of taking serious actions against those individuals who have caused the greatest single financial crisis debacle in this Nation's history.

I want to also say how highly I regard Mr. Seidman as a human being and for the tremendous public service that he has rendered to this Nation, a service which I hope will have many chapters yet to be written.

Mr. **Seidman**. Thank you, Senator.

The **Chairman**. You know, I must say before calling on Senator Pressler, we're getting so many wonderful, bipartisan accolades for you, Bill Seidman, many yesterday, mine and many others, and today, Senator Graham, and many others, both sides of the aisle—why are you leaving Government? You seem to be the one guy that we all would like to have stay on, as one evaluates these comments.

I ask that rhetorically. I won't ask you necessarily to respond to it now. But I sense a great public demand here on the committee to have you stay with us.

Mr. SEIDMAN. Well, I thank you all. I'd be glad to talk with you about it sometime. [Laughter.]

The CHAIRMAN. Senator Pressler.

OPENING REMARKS OF SENATOR PRESSLER

Senator PRESSLER. Mr. Chairman, I join in those remarks. I guess with the S&L thing and all of this crisis, you emerge as a White Knight. I saw you on Ted Koppel the other night. You did a great job.

You indicate that civil actions are not pursued, in your statement, and to do so would not be cost effective.

I have some concern with that policy. Doesn't it permit some offenders to retain their ill-gotten gains?

Also, I hope you will address, and I read your opening statement, what judicial process is available to financial institutions if and when you issue cease-and-desist orders? Can they turn immediately to the United States?

So I thank you for being here. I think the American people are crying out for something to be done about the number of officers, directors, insiders, and others who enjoy the lavish living style funded by insured deposits.

However, in addition to that, we must get on with the basic institutional reform to solve the problem. I think your opening statement is a contribution in that direction. I look forward to the questions.

The CHAIRMAN. Thank you, Senator Pressler.

Finally, Senator Heinz.

OPENING REMARKS OF SENATOR HEINZ

Senator HEINZ. Mr. Chairman, obviously, I want to join in commending Bill Seidman for his work.

Bill, though, there are a number of explanations, for why you are coming off so well, it may just be in comparison with everybody else, or you may really have done a fantastic job.

Mr. SEIDMAN. Thank you.

Mr. HEINZ. We don't know, but maybe you are showing the good sense to get out before something terrible happens.

We hope that's not the case.

Whatever the case, though, we're delighted that you're here. We obviously hope that the Attorney General will be able to join us. I say that because, not only as my colleagues have remarked, is the savings and loan crisis, the largest financial scandal in our Nation's history, but in particular, we want to be sure that you and the Justice Department have all the tools that are necessary to go after and prosecute bank fraud in all its forms.

As you know, the Senate Omnibus Crime Bill contained a series of amendments that were bipartisan. Senator Wirth and I were the joint sponsors of that legislation.

I know you're familiar with it. You worked very closely with us in its development. But not withstanding the fact that Senator

Wirth and I think that that is good legislation that will allow you and the Justice Department, the other agencies, to take the steps needed to combat bank and thrift fraud, we hope that you will tell us if you are in any doubt at all as to whether there is enough there.

When the times comes, I will have some questions to you about some of the apparent shortcomings in the House bill which is not, as I judge it, nearly as strong as ours.

In conclusion, let me just say that there is a tremendous job to be done. We obviously will be calling on you in a variety of ways in the months ahead to help us, as you have in the past, to assist Congress in addressing the savings and loan crisis.

Thank you.

The **CHAIRMAN**. We've been joined by the chairman of the budget committee, member of the budget summit, Senator Sasser.

OPENING STATEMENT OF SENATOR SASSER

Senator **SASSER**. Thank you very much, Mr. Chairman.

Mr. Chairman Seidman, I want to welcome you this morning before the committee. It's always a pleasure to see you and a particular pleasure this morning.

I want to commend you for the fine work that you've been doing under very, very difficult circumstances over the past few weeks and few months, and pledge to you my support in your continued efforts to try to bring some order out of the chaos that you have been confronted with.

I might share with you, Mr. Chairman Seidman, and other members of the committee here this morning, a concern that I have.

I think, as we all know, there's a great loss of confidence on the part of the American people with the way their Government has handled the whole problem of the savings and loan crisis over the past 10 or 12 years. We must work in every way we can to try to restore that confidence.

And one problem that I see looming on the horizon is the spectre that some speculators and individuals will reap undue and exorbitant profits from what's occurred as we try to emerge from the wreckage of some of the insolvent savings and loans.

I know that you and those who work with you will exercise every possible effort to see that there is no speculation or that no undue or excessive profits are derived from this situation.

But it is a matter of some concern to me. And I've been searching for ways in which we here in the Congress could safeguard against excessive profits or speculation as a result of these literally hundreds of billions of dollars worth of real estate properties and other properties that will be suddenly thrust on the market.

I wanted to share that concern with you and I look forward to working with you and with other members of the committee to address that concern in the coming weeks and months.

Thank you, Mr. Chairman.

The **CHAIRMAN**. Thank you, Senator Sasser.

I'm going to read one other item into the record that I'd like you to respond to. I want all my colleagues on the committee to be aware of this.

There is a story in today's Los Angeles Times, the first paragraph of which reads as follows:

> The FBI has launched a major investigation into allegations of political favoritism and influence-peddling in connection with the Government's sale to private investors of dozens of insolvent savings and loans in Texas, knowledgeable sources said Wednesday.

Now, we don't know who the knowledgeable sources are that said this Wednesday, and we'll obviously ask the Attorney General when he comes whether this is accurate or not.

But I would be very interested in any light you may be able to shed on this issue, either whether or not there is such an investigation or what light you can throw on that whole general subject today in the course of your discussion on problems out there that you've uncovered or are examining.

So, with that, let me say we'll make your full statement a part of the record and we'd be very pleased to hear from you at this time.

STATEMENT OF L. WILLIAM SEIDMAN, CHAIRMAN, FEDERAL DEPOSIT INSURANCE CORPORATION, WASHINGTON, DC

Mr. SEIDMAN. Thank you very much, Mr. Chairman. And I thank all the members of the committee for their kind comments.

I guess one thing you can do by quitting is to give people an opportunity to say something if they are willing to. But I do appreciate it, and I really personally want to thank all of you for your very nice comments on the efforts we've been making.

Today, I'm here to discuss the FDIC's and RTC's actions to identify, prevent, and punish fraud and abuse in banks and savings and loans. I will also comment briefly on the bank and S&L fraud amendments that were passed by the Senate on July 11.

The FDIC has long put the fight to curtail fraud in financial institutions at the top of its agenda. And the RTC is now doing the same thing. The reason is that controlling fraud is absolutely essential to a safe and sound banking and financial system.

More than 4½ years ago, shortly after I came on board, the FDIC established a specially trained fraud squad to pursue those who commit financial institution fraud. Through our fraud squad, with over 500 full-time investigators and staff, the FDIC has developed an expertise in investigating fraud, both in failed financial institutions and in open institutions that we supervise.

The RTC also has benefited from the FDIC's investigative expertise. It now has its own fraud squad with over 300 full-time investigators and staff, many of whom were transferred from the FDIC. Within the next year, we expect to have a combined force of over a thousand in this effort.

Every time a bank or thrift fails, we specifically investigate for civil and criminal fraud and abuse—in every case.

In addition, our examiners look for evidence of fraudulent activity during our regular examinations of open institutions.

In 1987, we developed what we call our list of red flags to help examiners in early detection of fraud and insider abuse. When red flag warnings are detected, specially trained members of our fraud squad may be called in. The red flag list has been expanded once. It is now being expanded again, and we have made it available to the private sector so the institutions themselves can use it in looking for fraudulent activities.

We refer suspected criminal activities in both failed and open institutions to the appropriate law enforcement agencies. We also pursue our own remedies against open and closed institutions, including administrative enforcement actions, civil fraud suits for money damages and restitution against officers, directors and other insiders.

Our regulations also require banks to make criminal referrals themselves when they detect suspicious activities.

As a result of our experience in the RTC over the past few months, we estimate that approximately 50 percent plus of RTC-controlled thrifts have had suspected criminal misconduct. We have referred these to the Department of Justice.

In about 40 percent of the RTC-controlled thrifts, insider abuse and misconduct contributed significantly to the thrift's insolvency. However, we have not put a dollar value on that because I think that's almost impossible to do because fraud and mismanagement are usually mixed together.

So we, at least at this point, do not have a dollar figure. However, we can tell you that in 40 percent of the cases we've looked at, fraud and misconduct has been a material part of bringing the institution down.

As you've heard from the Chairman, the FDIC and RTC have filed more than 500 lawsuits against former directors and officers and other professionals for damages ranging from $1 million to $1 billion.

In 1989, the FDIC and RTC's recoveries for professional liability claims totaled over $100 million.

When I testified three weeks ago before the House Judiciary Committee, I noted that settlements and judgments during the first half of 1990 will produce recoveries totaling in excess of $200 million or more, and $1 million per day.

I'm pleased to report that as of July 31, our 1990 recovery figure is very close to $300 million.

We have filed the largest FDIC suit in history against Mr. Keating, the former chairman of Lincoln Savings and Loan. I was interested to note as I watched the television this morning that he has joined some of those who have been calling for my resignation. [Laughter.]

I have personally written to judges who are hearing FDIC or RTC fraud cases, asking them to impose stiff sentences and restitution orders against individuals responsible for financial institution fraud or other abusive activity. In some of those cases, the judges have sentenced individuals up to 30 years in prison.

So, as I have said, controlling fraud is essential to a safe and sound financial system.

Moving on to the amendments passed by the Senate, I would say that, on the whole, we are very pleased with those amendments. We thank you for making them part of the crime bill, and we support them. They provide us with a number of very important new enforcement tools.

We especially favor the amendments to the bankruptcy code, and we urge the committee to hold fast for the Senate version of that in any final legislation.

I think nothing angers the American people more than to see bankrupt people living in $10 million homes.

Another very important provision would make it clear that the FDIC and the RTC have priority over competing claims against former directors, officers, employees or professionals who provided services to failed institutions.

We also favor the provision that would permit prejudgment attachments.

One important area to the FDIC that is not, I believe, in the Senate bill is the golden parachute provisions.

That has not been added to the Senate bill. Am I correct in that statement?

The CHAIRMAN. Right. Yes.

Mr. SEIDMAN. That is in the House bill. We think that is a very important provision. Directors, officers and others responsible for an institution's failure, or near failure, should not be permitted to line their pockets with an institution's money at the expense of the Federal Deposit Insurance Fund and the American taxpayer.

We have seen numerous cases where the people responsible for the failure of the institution walked off with large sums of money. They put it in trusts and used other ways to put it beyond our reach. There is nothing that I can think of that is worse for the system than to allow those running institutions to profit by their failure.

That has happened in a number of cases.

The CHAIRMAN. Let me just say to you on that point, we'll undertake to see that that goes into the final bill.

Mr. SEIDMAN. Thank you very much, Mr. Chairman.

I would like to express something with regard to the disclosure of civil enforcement actions because we think the statutory language there perhaps is not as clear as it should be. We would like to make sure that the statutory language is in accord with the Chairman's statement which he made on the floor of the Senate with respect to the intent of that provision.

We agree entirely with that but we're not sure that the language in the bill is perhaps as clear as your statement on the Senate floor.

We'd be happy to work with you in that regard.

That concludes my statement. I'd be pleased to answer any questions that I can.

[The complete prepared statement of L. William Seidman follows:]

TESTIMONY OF

L. WILLIAM SEIDMAN
CHAIRMAN
FEDERAL DEPOSIT INSURANCE CORPORATION

ON

THE PROSECUTION OF FINANCIAL CRIMES

BEFORE THE

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS
UNITED STATES SENATE

10:00 A.M.
THURSDAY, AUGUST 2, 1990
ROOM 538, DIRKSEN SENATE OFFICE BUILDING

Good morning, Mr. Chairman and members of the Committee. It is a pleasure be here today to discuss the actions the Federal Deposit Insurance Corporation and the Resolution Trust Corporation are taking to identify and punish those involved in fraud and abuse in the banking and savings and loan industries and to comment on pending legislation to improve prosecutions of financial institutions crime.

The FDIC and the RTC have long put the fight to curtail fraudulent activity in financial institutions at the top of their regulatory agendas. In the last five years, we have developed specially trained fraud squads to pursue those committing fraud and have given our examiners special tools to help in detecting such abuses. Greedy and unscrupulous individuals, insiders, advisors or related parties must not be allowed to profit at the expense of the deposit insurance funds and the American taxpayer.

Our testimony will outline the FDIC and RTC programs to prevent, detect and punish fraud and abuse by individuals and financial institutions. We also will comment on the amendments to the Senate's omnibus crime bill, S. 1970, that address financial institutions fraud and which were adopted by the full Senate on July 11, 1990. Those amendments are designed to provide the banking regulators and law enforcement agencies with additional tools to control fraudulent activities by banks and thrifts and their insiders.

The FDIC and the RTC have authority to bring civil -- but not criminal -- actions against banks and thrifts for fraudulent or other unlawful activities. Our prosecution of civil fraud cases provides an additional significant role in the prosecution of financial crimes. We investigate every failed bank and thrift to determine whether civil or criminal activity was involved in a bank or thrift failure. In addition, our examiners look carefully for evidence of fraudulent activity during the regular examination process of all open institutions. In the case of both failed and open institutions, we refer suspected criminal activity to the appropriate law enforcement agencies.

We also provide much of the basic information needed by the law enforcement agencies throughout all stages of a criminal prosecution. To that end, we participate in the regional inter-agency bank fraud working groups to encourage communication and improve coordination of criminal investigations.

The FDIC also uses administrative enforcement actions to stop fraud and abuse in operating institutions. In addition, the FDIC and the RTC bring civil suits for money damages and restitution (against officers, directors and other insiders) after an institution has failed.

Detecting and Reporting Fraud and Abuse in Open Institutions

FDIC examiners are trained to detect the signs of fraud and other illicit or improper insider actions. Potential problems often can be uncovered when certain warning signs are evident. In 1987, we developed a list of time tested "red flags" to assist our examiners in the early detection of apparent fraud and insider abuse. The "red flag" list has been expanded once and now is in the process of being updated and expanded again. Examples of the areas that the "red flags" cover include: linked financing/brokered transactions; loan participations; offshore transactions; lending to buy tax shelter investments; and wire transfers. When "red flag" warnings are detected, specially trained members of our "fraud squad" may be called in to pursue the matter using their special training.

Training and role of examiners. New examination personnel begin their careers as Assistant Examiners and usually serve a minimum of three years before they can qualify as commissioned examiners. During these first three years, Assistant Examiners are required to attend four schools that include training in investigatory techniques and detection of insider abuse and fraud. Assistant Examiners also receive on-the-job training in the detection of insider abuse and fraud.

Through the training process, our examiners gain a familiarity with the principal criminal statutes applicable to insured institutions. They also learn how to complete the standard criminal referral forms (Reports of Apparent Crime) used by all financial institution regulators. Additionally, examiners receive instruction on potential problems and warning signs pertaining to bank fraud and insider abuse -- namely, the red flags. The Division of Supervision's Manual of Examination Policies also sets out alternative investigative procedures appropriate to particular circumstances and addresses the handling of criminal violations when they are discovered.

An examiner's detection of management fraud or other abuse in an operating state nonmember bank generally results in one or more administrative enforcement actions by the FDIC and, in some cases, criminal referrals to the respective U.S. Attorney and the appropriate criminal investigatory agency. Criminal referrals prepared by examiners are reviewed by regional office staff and forwarded to the FBI and U.S. Attorney as soon as possible. However, when examiners detect significant apparent violations, we immediately contact the FBI and the U.S. Attorney by telephone before the examiner prepares the written referral. When requested by law enforcement agents, our examiners will assist in developing evidence and appear as expert witnesses.

Role of institutions. Bank directors and management also bear great responsibility for preventing and detecting fraud and insider abuse. Bank directors must assure that appropriate internal controls are in place. Bank management and employees who suspect a criminal violation are required -- under Part 353 of the FDIC's Rules and Regulations -- to submit Reports of Apparent Crime to the appropriate FDIC Regional Office, the U.S. Attorney, the appropriate State Banking Authority and the appropriate Federal investigative authorities (either the FBI, the Secret Service, the Postal Service, or the IRS) within thirty days of discovering the suspicious activity. Two different forms are used for this purpose. The Report of Apparent Crime (Short Form) is used to report suspected criminal violations involving less than $10,000 and suspicious transactions that indicate possible money laundering. The Report of Apparent Crime (Long Form) is used to report suspected criminal violations involving amounts of $10,000 or greater and all cases, regardless of amount, involving an executive officer, director or principal shareholder of the institution.

Copies of Reports of Apparent Crime involving amounts of $10,000 or greater, those involving executive officers, directors and major shareholders, and those involving suspected money laundering are forwarded by the regional offices to the FDIC's Special Activities Section in Washington. Those reports are reviewed and certain data from the reports are entered into an automated records system. During 1988 and 1989, the Special Activities Section received 902 and 938 reports, respectively.

The Special Activities Section forwards Reports of Apparent Crime indicating losses of $200,000 or more to the Department of Justice for special tracking. The individual U.S. Attorneys then make decisions about which criminal cases to pursue. Reports forwarded for tracking totaled 200 in 1988 and 284 in 1989. The Department of Justice enters information from these reports into a computer tracking system and periodically advises the FDIC of their status.

Reports of Apparent Crime filed by banks usually result from such events as teller shortages, false entries, theft, false statements on loan applications, embezzlement or misapplication of funds, check kiting, mysterious disappearance of bank funds, or money laundering.

FDIC "Fraud Squad" Investigations of Fraud

The FDIC has its own "fraud squad." Created in 1986, it is a national investigations unit that investigates fraud and other criminal activities when necessary in operating institutions and in all closed insured banks and in those thrifts that were closed before January 1, 1989. (The RTC's investigatory activities will be addressed below.)

The FDIC's investigations unit is comprised of over 500 investigators and staff. (This number does not encompass attorneys, examiners and other staff who deal with fraud in their day-to-day activities, but who are not full time investigators or support staff for the "fraud squad.") Investigators receive specialized training in all phases of financial institution operations, accounting, investigative techniques and specific fraudulent schemes. The result is a team of individuals who are well equipped to look into the affairs of failed institutions, as well as operating institutions when called upon to do so.

Each time a financial institution is declared insolvent, an investigative team is dispatched to determine 1) what caused the failure, 2) whether any criminal activity took place and 3) whether any professional liability claims exist. The investigations unit currently is pursuing approximately 942 active claims and investigations.

When possible criminal activity is discovered, the investigators file criminal referrals with the appropriate law enforcement agency. Since 1987, approximately 331 such referrals have been made. The investigators also follow up on these referrals through participation in the local bank fraud working groups. These groups bring together law enforcement personnel and representatives of the financial institution regulatory agencies on a monthly basis to discuss various issues related to bank fraud and other criminal activity. Each of the FDIC's regional offices and consolidated office sites has a designated participant in the local working groups or a contact person for the U.S. Attorney's offices and relevant investigative agencies.

Participation in these groups aids financial institution civil and criminal fraud prosecution in many ways. Few people are as familiar with the records of the financial institution or have the analytical expertise as the investigative team assigned to the failed institution. This expertise is made available in formal and informal ways to aid civil and criminal authorities in discovering, documenting and prosecuting fraud. In some instances, individual investigators are assigned full-time to a grand jury investigation.

The investigations unit also documents and requests restitution pursuant to the Victim and Witness Protection Act when individuals are convicted of crimes involving failed financial institutions.

RTC Investigations of Fraud in Closed Institutions

Investigations unit. The RTC also has its "fraud squad" with a corps of trained, experienced financial investigators. The RTC's Office of Investigations -- which now has approximately 300 investigators and staff -- projects to have 300 investigators alone by year-end. The Office provides the investigatory support to initiate civil and criminal recoveries from thrift owners, managers and professionals -- such as accountants and lawyers -- who caused losses through fraudulent or criminal conduct or professional malpractice. Recoveries can come from insurance policies covering professional conduct or directly from the assets of insiders and professionals. Successful recovery, however, requires thorough investigation and, in many instances, litigation.

The investigator's task is to: gather facts about insider abuse; identify the individuals who caused the thrift's losses; assess the degree of culpability of each party -- from negligent and reckless mismanagement to fraud or criminal conduct -- and help determine whether and what sort of litigation should be initiated to maximize recoveries. Investigators are involved throughout the civil litigation process, supporting the RTC attorneys and outside counsel.

A second, but equally important, responsibility of the Office of Investigations is to assist the Department of Justice and other Federal agencies in prosecuting individuals who engaged in criminal conduct, particularly those who benefited personally at the taxpayers' expense. RTC investigators are being trained to work with law enforcement agents to achieve our mutual objectives. Similarly, law enforcement agents are being trained to understand and respect the RTC's responsibility to recover assets for the thrift receiverships.

The investigator's initial task after RTC is appointed conservator of an insolvent thrift is to conduct a preliminary investigation of the facts leading to insolvency and to prepare a "Preliminary Findings Report." As of June 30, 1990, 397 Preliminary Findings Reports had been completed, representing about 87 percent of the 454 thrifts under the RTC's control.

Insider abuse and misconduct in insolvent thrifts. As a result of our experience over the past few months, we estimate that:

- Approximately 50 percent plus of RTC-controlled thrifts have had suspected criminal misconduct referred to the Department of Justice;

- In about 40 percent of RTC-controlled thrifts, insider abuse and misconduct contributed significantly to the thrift's insolvency;

- About 15 percent of the thrifts appear to have been involved in irregular and possibly fraudulent transactions with other financial institutions.

The average asset size of RTC-controlled thrifts is about $500 million, and they are complex organizations with numerous subsidiaries and affiliates. Many were owned or dominated by one individual and operated more like real estate development organizations, investment banks, or mutual funds than thrift institutions.

This situation allows for abuse and lack of control. It creates opportunities for self-dealing, fraud, theft and other misconduct to occur unabated. The RTC works with other Federal agencies and, where necessary, retains investigators with specialty skills in securities, commodities, and other disciplines to assist in documenting complex and sophisticated schemes of abuse and misconduct by insiders and other affiliated parties.

Trends and patterns of fraud and misconduct. Evidence of insider abuse and misconduct in RTC thrifts ranges from embezzlement and loan fraud to complex schemes to generate paper accounting profits that allowed cash to flow to thrift owners through subsidiaries or personal holding companies. Many of the complex lending schemes involve over-valued property that was swapped several times between borrowers or among various thrifts. These "land flip" schemes created false values and generated excessive fees that were parceled out to appraisers, brokers, developers and others -- including thrift insiders. Real estate development loans were made with no recourse to the borrower if the project failed. We are investigating these situations, as well as instances of unauthorized trading in mortgage-backed securities, junk bonds and other financial instruments in which insiders took the profits and pushed the losses onto the institution.

The example of Drexel Burnham Lambert and Michael Milken is a case in point. As announced in June of this year, a special FDIC and RTC task force is actively and aggressively investigating possible claims against Drexel and Michael Milken for substantial losses suffered by failed financial institutions in junk bond investments. Based on preliminary information available to us, we anticipate filing claims in the Drexel bankruptcy proceedings against the $750 million pool being administered by the Securities and Exchange Commission, and for any civil recoveries available.

Abuses are more prevalent in the Southwest and Southern California. More recent problems are arising in the Northeast and Florida. The RTC's Central Region, comprising Arkansas and 11 midwestern states, reports far and away the lowest percentage of thrifts exhibiting fraud and abuse -- less than 30 percent.

Civil Actions Against Directors, Officers, and Institution-Affiliated Parties

When an insured depository institution fails, the FDIC or the RTC becomes the legal owner of the institution's claims against its former directors, officers, employees, attorneys, accountants, and other professionals employed by the institution. In the case of every failed institution and those placed in conservatorship, the FDIC or the RTC conducts an investigation of potential professional liability claims. These investigations focus on whether the potential claim is meritorious and, if so, whether it would be cost effective to bring a civil suit seeking money damages.

The Professional Liability Section of the FDIC's Legal Division is responsible for litigating the FDIC's cases involving: directors' and officers' liability ("D&O"); attorney malpractice; accountants' liability; commodity and securities brokers' liability; claims under bankers blanket bonds; and certain appraiser malpractice cases. This section also works in conjunction with the RTC's Office of Investigations to pursue similar actions on behalf of the RTC.

Prior to February 1989, when the savings and loan conservatorship program began, the FDIC had pending investigations of professional liability claims involving approximately 500 institutions. The FDIC also had more than 100 lawsuits on file.

Following the merger with the Federal Savings and Loan Insurance Corporation (FSLIC) in August 1989 and the creation of the RTC -- which formally took over those savings institutions placed in conservatorship after January 1, 1989 -- the FDIC became responsible for the investigation of potential claims and the prosecution of viable claims involving a vastly increased caseload of institutions. The FDIC and RTC currently are conducting investigations in 1300 institutions and have filed more than 500 lawsuits against former directors, officers and other professionals for damages ranging from $1 million to $1 billion. The 1300 institutions we have responsibility for in-house can be broken down as follows:

Banks	550 Institutions
Thrifts (old FSLIC)	350 Institutions
Thrifts (RTC)	400 Institutions

In 1989, the FDIC's and the RTC's recoveries for professional liability claims totaled approximately $100 million. This figure includes old FSLIC recoveries taken in after the August 9, 1989 merger. During 1989, an additional $50 million in recoveries was received by FSLIC prior to August 9 for professional liability claims. A rough breakdown of these recoveries follows:

FSLIC Thrifts (prior to August 9)	$50 million
FSLIC Thrifts (after August 9)	$35 million
FDIC Banks (1989)	$60 million
RTC Thrifts (1989)	$4 million

Our recoveries for the first quarter of 1990 alone total more than $100 million. When I testified three weeks ago before the House Judiciary Committee, I noted that settlements and judgments during the first half of 1990 will produce recoveries totalling in excess of $200 million, or more than $1 million per day. I am pleased to report that, as of July 31, 1990, our 1990 recovery figure is approaching $300 million.

Over the past few years, the FDIC has litigated claims involving approximately 50 percent of those institutions for which it has been appointed receiver. This percentage of claims in litigation may drop somewhat -- particularly as to the RTC thrifts -- because of a scarcity of recovery sources, including D&O insurance and personal assets among many of the potential defendants.

The FDIC and the RTC contract with approximately 150 law firms to prosecute professional liability claims. Our in-house attorneys supervise and manage this litigation to ensure consistency in arguing legal issues and conformity to case plans and budgets, among other things. In-house attorneys also directly conduct settlement negotiations involving claims.

Much of the litigation now pending in the Professional Liability Section involves claims brought against former directors and officers who managed the failed institutions. These claims range from fraud and insider abuse to grossly negligent failures to conduct or supervise the financial institution's affairs.

Although historically many of the FDIC's cases are based on abusive lending practices, that is not the only basis for filing suits. We also have brought suits based on the payment of unreasonable dividends, imprudent or illegal investments in bank buildings, speculative securities trading, unreasonable compensation and expenses paid to directors and officers, and fraudulent "land flips" and other complex real estate transaction schemes.

As mentioned before, the FDIC and the RTC pursue those directors, officers, and other professionals who have committed fraud upon failed financial institutions if our investigation supports such allegations. However, it is not cost effective to pursue suits against such individuals when the litigation costs would exceed any collectible judgement. In those cases in which fraud or dishonest conduct by professionals is present, but in which the FDIC or the RTC determines that cost considerations prohibit filing civil suits, every effort is made to encourage and assist criminal prosecutions by the appropriate law enforcement authorities.

Fraud and dishonesty underlie FDIC claims brought under financial institutions "bankers blanket" or fidelity bonds. Fidelity bonds insure the financial institution against losses caused by the fraudulent or dishonest activity of an institution's employees. The FDIC and the RTC have aggressively pursued claims under fidelity bonds covering failed banks and thrifts. The FDIC's largest single recovery in the first quarter of 1989, for example, involved the settlement of a bond claim for $60 million.

Open Institution Enforcement

The Compliance and Enforcement Section of the FDIC's Legal Division provides legal support, advice, and counsel to the Division of Supervision ("DOS") and prosecutes civil enforcement actions on behalf of DOS against depository institutions or institution-affiliated parties whose activities pose a threat to depositors or the deposit insurance funds. The Compliance and Enforcement Section acts as the "district attorney's office" for DOS, which must police the banking industry through such administrative actions. DOS and Compliance and Enforcement are the first line of protection for the Federal deposit insurance funds.

The Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) greatly enhanced the enforcement powers of all of the Federal banking agencies. Civil money penalties for violations of laws, rules, regulations and orders have increased from $1,000 per day to ranges of $5,000 to $1,000,000 per day per violation. Call report penalties have increased from $100 per day per violation to ranges of $2,000 to $1,000,000 per day per violation. Other enforcement powers have been clarified -- such as jurisdiction over individuals separated from insured depository institutions, personal liability of individuals to insured depository institutions, records-keeping, and the like.

New enforcement powers have been added, including the right to suspend temporarily the deposit insurance of an institution operating with no tangible capital under the capital guidelines of the appropriate Federal banking agency, and the cross-guaranty provisions rendering affiliated depository institutions liable for losses reasonably anticipated by the FDIC when a commonly-controlled institution fails.

The most common administrative enforcement tool used by the FDIC is the cease-and-desist order. Cease-and-desist orders are used to halt and correct unsafe or unsound banking practices committed by state nonmember banks or individuals related to those institutions. In 1988 and 1989, the FDIC issued 98 and 97 cease-and-desist orders, respectively.

The FDIC also has the ability to terminate an insured institution's Federal deposit insurance for engaging in unsafe or unsound practices or for violations of law. As mentioned above, FIRREA also gave the FDIC the power to suspend temporarily the deposit insurance of institutions not meeting tangible capital requirements. In 1988, the FDIC initiated 77 proceedings to terminate deposit insurance. During 1989, the FDIC initiated 73 such proceedings and 1 proceeding to suspend deposit insurance temporarily.

The FDIC can remove directors, officers, and other institution-affiliated parties from any involvement in an institution's affairs if the individual violates any law or engages in unsafe or unsound practices. The FDIC also is authorized to assess substantial civil money penalties against depository institutions and institution-affiliated parties for violations of law or outstanding enforcement orders. During 1988, the FDIC issued 33 final removal orders and assessed civil money penalties in 10 instances. In 1989, we issued 10 final removal orders and assessed civil money penalties against institutions or individuals in 9 cases. In 1990, 10 final removal orders have already been issued and 9 civil money penalties have been assessed against individuals. In general, there has been a shift in emphasis over the past few years to enforcement actions against individuals, in keeping with the FDIC's commitment to reduce insider abuse.

Cross-guaranty actions, as mentioned above, are a new enforcement power granted to the FDIC by FIRREA. In such actions, commonly-controlled depository institutions may be assessed for the loss reasonably anticipated by the FDIC due to the default of a related depository institution. The first such action was initiated in 1989.

Amendments to Senate Omnibus Crime Bill to Improve Prosecution of Thrift and Bank Fraud

On the whole, the FDIC and RTC support the thrift and bank fraud amendments passed by the Senate as part of the omnibus crime bill, S. 1970 (the "bank fraud amendments".) They would provide the FDIC and the RTC with a number of important new enforcement tools. These new tools will allow us to combat financial institutions fraud more effectively and save money for the Federal deposit insurance funds and the taxpayers. A detailed discussion of the individual provisions of the bank fraud amendments is contained in the attachment to this statement.

Bankruptcy amendments. We strongly favor the amendments to the Federal Bankruptcy Code that would enhance the FDIC's ability to recover funds from individuals who have defrauded federally insured financial institutions. These individuals often file personal bankruptcy that results in the discharge of judgments or debts based on fraudulent, wrongful or criminal conduct. Although the FDIC has actively attempted to prevent such discharges, the Bankruptcy Code and case law interpreting it often make it difficult for the FDIC to prevent these individuals from avoiding these debts.

The bankruptcy amendments would remedy this situation. We are especially supportive of the so-called "homestead exemption" contained in those provisions. The homestead exemption would prevent individuals who have defrauded banks or thrifts from hiding their multi-million dollar homes under the protection of state law. We respectfully urge this Committee to work for the inclusion of the homestead exemption in any final fraud legislation.

Priority of claims. Section 259 is another very important provision to the FDIC and RTC. It would make the law very clear that the FDIC and the RTC have priority over competing claims against former directors, officers, employees, accountants or other professionals that had provided services to a failed institution. This would go a long way in protecting the deposit insurance funds and the American taxpayer from the costs of bank and thrift failures.

Prejudgment attachment and fraudulent transfers. We also favor the amendment that would allow the FDIC and RTC to make prejudgment attachments of the assets of persons obligated to failed insured depository institutions. We suggest, however, that the authority be expanded to encompass enforcement actions taken by the FDIC in its corporate capacity against open institutions. We also favor the provision that would allow the FDIC to avoid certain fraudulent transfers of assets made within five years of the appointment of a receiver.

Golden parachutes. One very important area to the FDIC that is not contained in the Senate's bank fraud amendments is the authority to prohibit or limit excessive or abusive golden parachutes and similar types of payments by troubled depository institutions. The FDIC thinks it unconscionable that directors, officers and others responsible for an insured institution's failure -- or near-failure -- should be able to line their pockets with an insured institution's money at the expense of the Federal deposit insurance funds. Paying golden parachute money to a director, officer, or other responsible party in the case of a failed or failing insured institution amounts essentially to paying that person with a check drawn on the Federal deposit insurance funds.

Golden parachute provisions are contained in the various versions of the bank fraud amendments now being considered in the House. Such provisions are very important to the FDIC and RTC in limiting the liabilities of the deposit insurance funds and taxpayers. We urge that they be included in any final legislation.

Qui tam. There are several provisions in the Senate bank fraud amendments that cause the FDIC some concern. Subtitle I of the amendments, the so-called "qui tam" provisions, would encourage private rights of action against banks and thrifts that have engaged in fraudulent activity. We have concern that these qui tam provisions could create a managerial and administrative nightmare for the FDIC and the RTC. Because private litigants have no real accountability for their actions, the FDIC and RTC would have to devote substantial resources to overseeing and monitoring those actions to ensure that they did not interfere with our own lawsuits. We could conceivably be put in the position of having to intervene as a party in some of the private suits if we thought our own positions might be adversely affected by a judicial decision. The costs to the FDIC and RTC would be significant.

The qui tam provisions run the risk of upsetting well established legal precedents, which could adversely affect the ability of the FDIC and RTC to carry out our fundamental goals of resolving failed banks and thrifts and protecting the deposit insurance funds. We also are concerned that private parties may be less likely to share information with us on a voluntary basis if they know they can get paid for the information or use it to bring their own private rights of action. Finally, we believe that the qui tam provisions would only add to the already overloaded dockets of the Federal courts, resulting in delays of matters that the FDIC or RTC believes should have priority.

Disclosure of civil enforcement matters. We also have reservations about Section 156, which would require the disclosure of certain civil enforcement actions, because the language is somewhat unclear. The FDIC always has supported the disclosure of final enforcement orders, as evidenced by our support of the disclosure provisions contained in the Financial Institutions Reform, Recovery, and Enforcement Act of 1989. However, we cannot extend our support to publication of informal agreements since, by doing so, the force and effect of a valuable enforcement tool is taken away.

Voluntarily executed written agreements, letter agreements, business plans, and other such agreements are a valuable informal method of guiding institutions that have not deteriorated to the level of a formal enforcement action away from potential problems. Such plans are often "road maps" that provide regulatory guidance to institutions on avoiding potential trouble areas. The failure of an institution to follow the suggestions in a plan is no guarantee that formal enforcement action will be necessary, nor is the entering of such an agreement the hallmark of a troubled institution. The willingness of institutions to enter into such agreements lies partly in the understanding that they will not be subject to public censure. By eliminating the impetus for these informal agreements, the only regulatory tool left to the agencies is the formal administrative action, which may not be appropriate for the institution.

It is our understanding that Section 156 is intended to require disclosure only of those administrative actions that are analogous to, and enforceable in the same manner as, final enforcement orders. But, it is not intended to require disclosure of informal memorandums of understanding and similar agreements that the FDIC and the other banking agencies might undertake. We believe the statutory language in Section 156 is not completely clear on this point. Thus, we would feel more comfortable if the language could be clarified to more closely mirror congressional intent that informal agreements are not required to be disclosed.

RTC Enforcement Division. We also have concerns about Section 258, which would require the creation of an RTC Enforcement Division to assist in pursuing criminal and civil claims against individuals associated with insured depository institutions. We do not believe that a separate RTC Enforcement Division is a necessary or cost-effective use of RTC resources.

The RTC already has established various units within its organizational structure to assist in pursuing claims against failed thrifts and the individuals associated with them. As outlined above, the RTC has its own "fraud squad" that investigates every single failed thrift to determine whether there is evidence of fraud or abuse that contributed to the institution's failure. The RTC also participates in bank fraud working groups and other interagency cooperative efforts to assist in the prosecution of financial institution crimes. In addition, the FDIC/RTC Legal Division brings claims against directors, officers, and other insiders to recover monies owed to the agencies. The goals of Section 258 can and are being accomplished without the necessity of micromanaging the internal structure of the RTC by requiring a separate Division.

Finally, we have reservations about Section 112. That section provides in part that a Special Counsel for the Financial Institutions Fraud Unit within the Department of Justice will be responsible for ensuring that Federal statutes relating to civil enforcement are used to the fullest extent authorized by law. While we support legislation that encourages the fullest prosecution of individuals guilty of bank fraud, we are concerned that Section 112 may unintentionally encroach on the authority of the appropriate Federal banking agencies to supervise and monitor insured depository institutions and institution-affiliated parties and to bring administrative enforcement actions against them. We would urge that this provision be clarified to ensure that the Special Counsel is responsible for civil enforcement only with respect to statutes that are under its jurisdiction.

Conclusion

In conclusion, Mr. Chairman and members of the Committee, the FDIC and the RTC are vitally concerned with the threat that fraud and insider abuses pose to the continued safety and soundness of insured institutions and the deposit insurance funds. We believe that our aggressive enforcement efforts, the increased penalties and stronger enforcement authority provided to us in FIRREA, and the legislative initiatives now being considered by the Congress will prove to be a formidable deterrent to financial institution fraud and abuse.

FEDERAL DEPOSIT INSURANCE CORPORATION

and

RESOLUTION TRUST CORPORATION

COMMENTS ON S. 1970

AUGUST 2, 1990

This memorandum contains the FDIC's and the RTC's comments on relevant sections of S. 1970. Where appropriate, we have included in the attached Appendix revised statutory language that reflects the FDIC's and the RTC's recommended changes to the legislation. In instances where we do not specifically comment on a particular section, we either support it or defer to the Department of Justice. (Page references are to the printed amendment that was offered to S. 1970-- Document # 061012.538.)

Before beginning our comments, we want to point out that several sections of the proposed legislation use the definition of "institution-affiliated party" contained in Section 3(u) of the Federal Deposit Insurance Act. However, with regard to independent contractors such as attorneys, accountants, etc., this definition imposes a requirement that such persons act "knowingly or recklessly." In the context of bank and thrift fraud, such a standard is inappropriately strict. Therefore, we recommend that a new term, "institution-related party," be used which does not contain this "knowing or reckless" standard. [See Appendix, p. 1]

Section 112, Page 8, "Responsibilities of Special Counsel"

Paragraph (b)(2) provides that the Special Counsel for the Financial Institutions Fraud Unit within the Justice Department shall be responsible for ensuring that Federal statutes relating to civil enforcement, asset seizure and forfeiture, money laundering, and racketeering are used to the fullest extent authorized by law to attack the financial resources of persons who have committed crimes against the financial services industry.

This provision will create confusion with regard to the authority of the appropriate Federal banking agencies to supervise insured depository institutions and institution-affiliated parties and to seek compliance with federal banking laws from these institutions and individuals. We recommend that the confusion be remedied by a clarification that the Special Counsel is to use all powers available to him under Title 18 of the U.S. Code, or by legislative history that states that the authority of the Special Counsel is not intended to interfere with the civil enforcement authority of the appropriate Federal banking agencies.

Section 152, Page 14, "Restitution for Victims of Bank Crimes"

The FDIC supports this provision. Section 152 would make restitution available to all victims of an offense predicated on a scheme or conspiracy, including the FDIC and RTC, whether or not a victim is specifically named in a count of conviction. It is common in prosecutions for scheme-based offenses, such as mail fraud or bank fraud, to set forth a broad scheme victimizing numerous parties, and then set forth a limited number of events as individual acts taken in furtherance of the scheme. Some courts have permitted restitution only to the victims named in those exemplary counts. This Section imposes a common sense rule that a fraud victim's right to restitution does not depend on the prosecutor's tactical charging decisions.

Section 154, Page 16, "Nondischarge of Debts in Federal Bankruptcy Involving Obligations Arising From a Breach of Fiduciary Duty"

This section would enhance the FDIC's and RTC's ability to object to the discharge in bankruptcy of certain judgments obtained by the FDIC against institution-affiliated parties. Section 523(a)(4) of the Bankruptcy Code provides that a debt "for fraud or defalcation while acting in a fiduciary capacity" is not dischargeable. The FDIC has had difficulty using this section since bankruptcy courts look to state law to define who is a "fiduciary" and what constitutes a "defalcation." This section specifically provides that a breach of fiduciary duty by an institution-affiliated party constitutes a "defalcation" within the meaning of Section 523(a)(4).

As we noted in our general comment at the beginning of this memorandum, we recommend that the term "institution-affiliated party" be replaced with the term "institution-related party" so that independent contractors are covered without regard to whether they acted knowingly or recklessly. [See Appendix, p. 1]

Section 155, Page 16, "Disallowing Use of Bankruptcy to Evade Capital Commitments"

The FDIC strongly supports this section. However, we suggest some revisions noted below.

Section 155(a): This provision would amend Section 1141 of the Bankruptcy Code to prevent commitments to maintain the capital of federally insured financial institutions from being discharged in Chapter 11 bankruptcy proceedings. To implement the purpose of the amendment fully, however, subsections (a) and (c) of 1141 of the Bankruptcy Code need to cross reference the proposed new paragraph (d)(4) along with the present paragraphs (d)(2) and (d)(3).

This subsection will only affect corporate debtors. Individuals who are in Chapter 11 proceedings will be treated in the same manner under new Section 523(a)(11), discussed below.

Paragraph (a)(2) provides that a debtor may not be discharged in bankruptcy from his responsibilities on any commitment to maintain the capital of an insured depository institution entered into with the FDIC, RTC, OTS, etc. However, debtors may also be subject to administrative orders issued by the various Federal banking agencies to maintain the capital of insured depository institutions, pursuant to 12 U.S.C. §§ 1818(b) and (c). We recommend that the language be clarified to ensure that any responsibilities incurred under any such orders will not also be dischargeable.

Section 155(b)(1): This provision adds new subsections (a)(11), (12) and (13) to Section 523 of the Bankruptcy Code.

New Section 523(a)(11) automatically excepts from discharge debtors' obligations to honor capital maintenance commitments if the debtor is an individual in a Chapter 7 or a Chapter 11 bankruptcy proceeding. Liability for an individual in a chapter 11 proceeding is established by reading the new section together with existing section 1141(d)(2).

New Section 523(a)(12) makes criminal restitution orders that have been imposed for defrauding financial institutions nondischargeable. In Davenport v. Pennsylvania, (decided June, 1990) the Supreme Court stated that criminal restitution is dischargeable in a Chapter 13 Plan under existing Section 1328(a) of the Bankruptcy Code. New Section 523(a)(12) would close this "loophole" for debtors in any chapter in bankruptcy.

New Section 523(a)(13) of the Bankruptcy Code makes any liability imposed by a court or the appropriate financial institutions regulatory agency based upon fraud or a defalcation in a fiduciary capacity nondischargeable.

The FDIC and RTC sue many officers, directors, and controlling persons who caused losses to insured financial institutions. Although the FDIC has been successful in recovering large judgments for damages against these individuals, these individuals often use the bankruptcy system to escape paying these judgments. The FDIC has had considerable difficulty convincing the Bankruptcy Courts to find that these judgments fit into the debts currently listed in Section 523(a) as nondischargeable. The addition of 523(a)(13) will eliminate these problems.

Section 155(b)(2): This provision adds new subsections (e), (f), (g) and (h) to section 523 of the Bankruptcy Code.

New Section 523(e) clarifies that an institution-affiliated party of a depository institution is acting in a fiduciary capacity for purposes of liability under Sections 523(a)(4) and new (a)(13). This will avoid the problem we presently encounter in dealing with the term "fiduciary capacity" of having the courts construe the term so narrowly that liability usually will only be imposed upon a showing that an actual legally enforceable trust has been violated, as opposed to the general fiduciary obligations that bank directors and officers owe an institution.

New Section 523(f) removes the requirement of a financial institution regulatory agency having to show "actual reliance" on a false written statement, including a financial statement, as a condition of proving a case for an objection to the dischargeability of an obligation under Section 523(a)(2).

The FDIC often has difficulty fulfilling the "reliance" element of proof, since many times an officer or director of a failed institution did not actually rely on a false statement or false financial statement in making a loan (for example, where the borrower participated in a scheme with bank officers designed to defraud the bank.) Proposed new subsection (f) would make it clear that the FDIC and RTC need not prove that it or the failed institution relied on a false statement or false financial statement in order for a bankruptcy court to find that these types of debts, when owed to the FDIC and RTC, are not dischargeable.

New Section 523(g) extends the time for a financial regulatory agency to file complaints objecting to discharge under Sections 523 and 727 of the Bankruptcy Code. Current law requires that all complaints must be filed within 60 days after the debtor's first meeting of creditors, absent an extension being granted prior to that time. The first meeting of creditors usually occurs within 20-40 days after a bankruptcy petition is filed.

New Section 523(g) would give the FDIC 120 days from the date of the debtor's first meeting of creditors, or 120 days from the date of the appointment of a conservator or receiver of a failed financial institution (whichever is longer), to file an objection to the discharge of a particular debt of the debtor. This will avoid the situation of the institution filing on the 59th day after the first meeting of creditors and the regulatory agency missing the current 60 day deadline while it is attending to matters related to the closing of the institution. The additional time is needed in many instances because the records of failed institutions are frequently not well kept. It is often difficult to discern the existence of a bankruptcy or of information that will provide the grounds for an objection under Sections 523 or 727 of the Bankruptcy Code.

In RTC purchase and assumption transactions, many loans are transferred from a receiver to an acquiror and then can be "put" back to RTC Corporate (pursuant to the purchase and assumption agreements.) We suggest, therefore, that new section 523(g) be amended to provide that the 120 days will run from the date of the appointment of the conservator or receiver, the date of the debtor's first meeting of creditors, or the date of the "put" to RTC Corporate (whichever is longer.) Such a change will greatly assist the RTC.

New Section 523(h) adds new definitions in order to reference properly some of the terms added in the proposed amendments to Section 523 to those same terms in the Federal Deposit Insurance and Federal Credit Union Acts.

New subsection 523(h)(4) defines "institution-affiliated party" by referencing 12 U.S.C. 1813(u). As we discussed on page 1, the new term "institution-related party" should be used in order to include independent contractors without regard to whether they acted "knowingly or recklessly." [See Appendix, p. 1]

Section 155(c): This subsection amends Section 1328(a) of the Bankruptcy Code. Currently, criminal restitution and debts owed to the FDIC or RTC for money or property procured through fraud are dischargeable in a Chapter 13 plan under Section 1328(a). The amendments to Section 1328(a) provide that these debts owed to the FDIC or RTC would not be dischargeable.

This change to Chapter 13 is consistent with the changes to the other chapters of the Bankruptcy Code made by S. 1970 and keeps Chapter 13 from becoming the only remaining haven for institution-affiliated parties who caused losses to federally insured depository institutions. As a matter of technical drafting, the FDIC suggests that Section 155(c) be amended as shown in the Appendix, page 2.

Section 155(d): This subsection amends Section 522(c)(1) of the Bankruptcy Code to allow the FDIC and RTC to satisfy nondischargeable claims from exempt property of a debtor. Thus, not only will a debtor's exempt property be available to satisfy tax obligations, it will also be available to satisfy obligations due to having caused losses to federally insured financial institutions.

This subsection will keep former directors and officers from avoiding their obligations for losses they caused failed insured depository institutions by hiding their assets in property (for example, large and expensive homes) protected by the liberal exemptions provided by some States.

We have some technical suggestions to Section 155(d), which are attached at Appendix, page 3.

Section 155(e): This subsection amends Section 365 of the Bankruptcy Code to except capital maintenance responsibilities from disavowal as executory contracts. For this section to accomplish its intended purpose, however, it should be amended to limit the debtor's liability to the amount owed at the time the insured depository institution was declared insolvent. While the subsection is also intended to deal with Chapter 11 debtors who have continuing responsibilities to open institutions, a court would likely require that this claim be estimated, and it is unclear whether or not the financial status of an open insured institution could or should be estimated by a bankruptcy court.

Section 156, Page 23, "Disclosure of Civil Enforcement Actions"

The FDIC has reservations about Section 156, which would require the disclosure of certain civil enforcement actions, because the language is somewhat unclear. The FDIC always has supported the disclosure of final enforcement orders, as evidenced by our support of the disclosure provisions contained in the Financial Institutions Reform, Recovery, and Enforcement Act of 1989. However, we cannot extend our support to publication of informal agreements since, by doing so, the force and effect of a valuable enforcement tool is taken away.

Voluntarily executed written agreements, letter agreements, business plans and other such informal agreements are valuable methods of guiding institutions that have not deteriorated to the level of enforcement actions away from potential problems. Additionally, such agreements are used for institutions that are not in a troubled condition but are seeking guidance in an unfamiliar area of banking. By working closely with such institutions, potential trouble areas are avoided. The willingness of institutions to execute such agreements lies, in part, in assurances that they will not be subject to public censure. By eliminating the impetus for these informal agreements, the only regulatory tool left to the agencies is the formal administrative action, which may not be appropriate for the institution.

It is our understanding that Section 156 is intended to require disclosure only of those administrative actions that are analogous to, and enforceable in the same manner as, final enforcement orders. But, it is not intended to require disclosure of informal memorandums of understanding and similar agreements that the FDIC and the other banking agencies might undertake. We believe the statutory language in Section 156 is not completely clear on this point. Thus, we would suggest that the language be clarified to more closely mirror congressional intent that informal agreements that are not enforceable in the same manner as final enforcement orders are not required to be disclosed.

The FDIC currently collects final orders in administrative enforcement proceedings from the regional offices and publishes them as required by FIRREA, on a monthly basis. Section 156 would require publication of an order within 30 days of agency action on the order. Consequently, the Federal banking agencies would have to continually publish new orders on a daily basis. We would prefer being able to continue our existing practice of collecting all final orders and publishing them all at once on a monthly basis.

The FDIC has no objection to a public hearing requirement; however, as a technical matter, we suggest that this amendment be made to section 8(h) of the Act, 12 U.S.C. § 1818(h), which deals with hearings.

With regard to public hearings, it would seem that making the transcripts available to the public is unnecessary and would merely create an additional expense and administrative burden to the regulatory agency.

Finally, the FDIC strongly recommends that the effective date of this provision be no earlier than the date the legislation becomes effective.

Section 251, Page 33, "Concealment of Assets from Federal Banking Agencies Established as Criminal Offense"

This Section creates the crime of knowingly concealing assets against which a federal banking agency "may have a claim." However, in the criminal context, the phrase "may have a claim" is most likely too vague to pass constitutional scrutiny. We suggest that it be replaced with language patterned on the bankruptcy fraud provisions found in 18 U.S.C. §152.

Section 252, Page 34, "Civil & Criminal Forfeiture"

The FDIC supports this provision.

Section 253, Page 36, "Civil Actions under RICO"

This section expands the civil remedies pursuant to 18 U.S.C. section 1964 and allows the Chairman of the FDIC or the Chairman of the RTC, or their designees, to institute proceedings in cases where violations affect insured depository institutions. No changes are recommended.

Section 254, Page 36, "Subpoena Authority for FDIC & RTC"

The FDIC supports this provision.

Section 255, Page 38, "Fraudulent Conveyances Avoidable by Receivers"

This provision will be a welcome tool in the continuing fight to combat financial institution fraud. Section 255 provides the FDIC and RTC with the ability to avoid fraudulent transfers of assets by institution-affiliated parties and debtors, if the transfers were made within 5 years of the appointment of the receiver. (It is important to note that the definition of "institution-affiliated party" should be changed, or the new term "institution-related party" suggested above be used, in order to include independent contractors without regard to whether they act knowingly and recklessly.)

While the avoidance of fraudulent conveyances is a necessary and desirable power, the precise language of Section 255 might not be broad enough to prevent an analogous abuse. We have seen institutions, in contemplation of insolvency, formally release the personal guarantor of a loan. While such a release arguably does not involve a conveyance, the result is a reduction in the value of receivership assets just as if receivership property had been transferred. We would suggest broadening the language to prohibit such fraudulent extinguishment of obligations as well.

The FDIC also suggests that this Section be revised to provide that attempts to defraud the FDIC or other federal banking agencies also will result in an avoidable transfer. The provision as written is limited to fraud against the depository institution.

Further, we would add a provision that would set aside constructive fraudulent transfers (this section is currently directed at actual fraud.) We suggest a provision similar to that found in Section 548(a)(2) of the Bankruptcy Code.

Finally, this section should be amended to provide that the rights of the FDIC and RTC take precedence over the rights of a trustee in bankruptcy. Without this provision, if an institution-affiliated party filed bankruptcy it would be able (as debtor in possession, which has all the powers of a bankruptcy trustee) to argue that 12 U.S.C. 1821(d)(17) is superseded by the Bankruptcy Code with the result that 1821(d)(17) would be rendered meaningless. [See Appendix, p. 4]

Section 256, Page 39, "Prejudgment Attachments"

The FDIC supports this provision. Proposed new paragraph 18 amends Section 11(d) of the FDI Act (12 U.S.C. § 1821(d)) to provide generally for prejudgment attachment of the assets of any person obligated to failed insured depository institutions. The FDIC's recommended changes to the provision clarify the ability of the FDIC and RTC to request a prejudgment attachment in connection with any of the powers conferred on them as a receiver or liquidator by Sections 11, 12 and 13 of the Act, and deletes what appears to be an unnecessary "willfulness" requirement if the term "institution-affiliated party" is used instead of "institution-related party." (As discussed earlier on page 1 hereof.)

With regard to paragraph 4(A) on page 41, if pre-judgment attachment is limited only to section 8(i) offenses, the FDIC will lose a valuable tool in conserving assets in a restitution/reimbursement action. Thus, we also recommend that this section be changed to encompass actions under all of Section 8, as well as Sections 7 and 18 of the FDI Act.

Additionally, in the portion of this proposed legislation which proposes to amend section 8(i) of the Act, the term "court" is not defined. Since 8(i) deals with administrative hearings, it seems that perhaps the best way to accomplish this process is to require that application be made in federal court while the administrative action is pending. Section 8(h) of the FDI Act deals with hearings and judicial review. We therefore propose that this provision be added to section 8(h) of the Act, and expanded to include all civil money penalties issued by the appropriate Federal banking agency, as well as restitution/reimbursement actions.

Finally, the FDIC recommends that the power to utilize such attachments be expanded to include situations where the FDIC can demonstrate that fraud has occurred. This would parallel at least one favorable court decision obtained in the Fifth Circuit. [See Appendix, p. 5]

Section 257, Page 42, "Injunctive Relief"

Section 257 would provide authority for the FDIC, NCUA or RTC, acting in any capacity, in actions involving a scheme to defraud a financial institution, to seek injunctive relief from threatened loss without a showing of special or irreparable injury. It also provides for preliminary relief when assets may be dissipated or placed beyond the jurisdiction of the court.

We view this authority as a complement to the pre-judgment attachment authority contained in the preceding section 256. Taken together, the concepts of enjoining dissipation or expatriation of assets and prejudgment attachment are powerful weapons for the bank regulatory community. Because of the closely related nature of the two forms of relief, we believe the standards and availability of the relief should be conformed in all major respects.

In the present draft, availability of pre-judgment attachment is restricted to the FDIC in its conservatorship or receivership capacities. By contrast, injunctive relief is available to the FDIC, NCUA and RTC in all capacities. We see no reason for this distinction, and believe that all forms of prejudgment relief should be available without regard to the capacity in which an action is brought, and to all federal banking agencies.

In addition, we note that the standard for preliminary injunctive relief, which is modeled after the standard in section 256, is crafted in contemplation of an action brought in a conservatorship or receivership capacity, as demonstrated by repetitive references to "the institution." By contrast, the standard for entry of permanent relief is broader and less precise.

We would suggest that the provisions of sections 256 and 257 be combined to achieve uniform availability and to apply common standards in support of appropriate relief. We would be happy to provide alternate language.

Section 258, Page 46, "RTC Enforcement Division"

It is the RTC's position that this section is unnecessary. The RTC already has units which accomplish this function. Also, for Congress to mandate a particular structure to an agency greatly reduces that agency's flexibility to respond to new and unforeseen events.

Section 259, Page 47, "Priority of Certain Claims"

The FDIC supports Section 259, subject to the suggested changes described below. Section 259 recognizes that multiple claims for personal damages are frequently brought by shareholders, depositors and creditors following a financial institution failure. These claims compete with FDIC or RTC claims or actions against the same parties for damages suffered by the financial institution and the deposit insurance funds. The high cost of defending against multiple claims not only outstrips the personal financial resources of most defendants, but also quickly depletes even the largest professional liability insurance policies which often contain standard "wasting" provisions that allow the payment of defense costs out of the coverage limits.

Section 259 has been drafted to grant the FDIC and RTC a clear priority over such competing claims. The effect of this provision will be to allow the FDIC and RTC time to investigate and prosecute claims against former directors and officers and other professionals for losses caused the failed institution by their gross negligence, breaches of fiduciary duty, fraud or other wrongdoing. Thus, suits by the FDIC and RTC will be allowed to recoup losses on behalf of the insurance funds and other creditors of the failed institutions first before any competing claimants. This provision will greatly enhance the ability of the FDIC and RTC to recover against these parties for the benefit of the insurance funds by staying the prosecution of competing claims until the FDIC and RTC's claims are satisfied through settlement or post-judgment execution.

Although the FDIC and RTC support the priority provision, there are a number of concerns regarding the effect of the broad exception for "claims of other Federal agencies of the United States" in paragraph (a) on page 48. This broad exception will vitiate the priority proposal by allowing, for example, claims brought by the Attorney General for civil money penalties for financial crimes under Section 951 of FIRREA to proceed before FDIC or RTC claims are satisfied. We would suggest that this exception be narrowed to claims of federal agencies under Section 6321 of the Internal Revenue Code of 1986 (regarding liens for unpaid taxes) and under Section 3713 of Title 31, United States Code (regarding other government claims for indebtedness). Also, the priority should apply to any claim under section 12 of the FDI Act, as well as sections 11 and 13 which are already included. In addition, we suggest that a sentence be added to subsection (a) of this section to make it clear that the priority extends to the prosecution of any suit and the execution and satisfaction of any subsequent judgement. We have attached suggested language. [See Appendix, p. 6]

We also recommend that paragraph (a)(1) be revised to clarify the priority and need for notice over competing claims that are pending at the time the Corporation acquires its claims.

The final sentence of paragraph (a)(2), on page 49, is unclear. It should be redrafted to make it clear that the FDIC will not have a priority if a court finally adjudicates that the assets in question are unavailable to satisfy judgments obtained by the FDIC or RTC.

Finally, we suggest the following explanatory language concerning the prospective applicability of this provision:

> Section 259 would provide a priority for the FDIC over certain competing claims against directors, officers, accountants, attorneys and other parties. Several trial courts previously recognized this priority while others did not. Most recently a federal appeals court reversed a district court order which had recognized the priority. Section 259 would clearly grant the FDIC a priority as to claims which are filed after enactment. With regard to pending claims, the provision will be completely neutral. That is, it should neither support nor undercut any party's position with regard to whether the FDIC is already entitled to a priority under existing law.

Section 260, Page 49, "Expedited Procedures for Certain Claims"

The FDIC supports this provision; however, we recommend that the 10, 60 and 90 day time frames be lengthened to 30, 120 and 180 days, respectively.

Section 351, Page 51, "Interagency Coordination"

This section specifically authorizes the agencies to provide and the Attorney General to accept the assistance of agency attorneys and investigative personnel to assist the Department of Justice in the prosecution of crimes affecting savings associations.

In principle, we support this provision, although we see no real need for it. The Department of Justice already can reach the same result through designation of agency attorneys as Special Attorneys or Special Assistant U.S. Attorneys and designation of other agency employees as agents of a grand jury.

Section 352, Page 52, "Foreign Investigations"

The FDIC is of the opinion that this provision is unnecessary since these functions are already being accomplished.

Sections 401-469, Page 55, "Private Rights of Action"

While the FDIC acknowledges that these sections of the bill have been amended in an effort to address some of the concerns that we have previously expressed, it is still our opinion that these legislative initiatives would substantially burden the supervisory function and, therefore, we cannot endorse them.

New Section 503, Page 90, "Clarification of FDIC Authority"

This is a new section that will cure a major problem that the FDIC is currently facing with respect to FSLIC Resolution Fund institutions.

The FSLIC Resolution Fund provisions, as currently codified, create two basic problems:

1. The Corporation, in managing the FRF, is not explicitly given any of its normal powers under Sections 9, 11, 12, 13 or 15 of the FDI Act.
2. Nowhere in FIRREA is the FDIC explicitly appointed receiver for savings and loan associations that failed prior to January 1, 1989.

These two problems have been exhibited in many different ways. When the FDIC, as receiver for pre-January 1, 1989 receiverships, has brought suit to collect on notes, litigants have argued that the FDIC is not the receiver for these institutions. They have alternatively argued that even if the FDIC is receiver, it has none of its receivership powers under Section 11 of the FDI Act. Similarly, certain title insurance companies have refused to issue title insurance to FDIC as receiver, arguing that they cannot find any reference to these pre-January 1, 1989 receiverships in FIRREA. Similar problems exist when the FDIC has attempted to collect on assets that are in the FRF.

In crafting a legislative clarification of FIRREA to correct these problems, it is important to maintain the distinction between FRF assets and liabilities and the assets and liabilities of each of the pre-January 1, 1989 receiverships. The FSLIC Resolution Fund is only composed of those assets and liabilities that belonged to FSLIC in its corporate capacity (i.e., those assets that the FSLIC corporate purchased as part of its S&L assistance agreements). The pre-January 1, 1989 receivership estates each have their own assets and liabilities. Any receivership liability can only be paid from the liquidation of that failed institution's assets. If this distinction were to be blurred, the FRF could become responsible for these receivership liabilities.

To clarify FIRREA and correct the existing problems we need the two provisions set forth below. However, the more important of the two provisions is paragraph (9).

Section 11(a) of the Federal Deposit Insurance Act (12 U.S.C. § 1821(a)) is amended by inserting after subsection (7) the following new paragraphs:

"(8) Use of FDIC Powers. -- As of August 10, 1989, the Corporation shall have the same rights, powers and authorities to carry out its duties with respect to the assets and liabilities of the FSLIC Resolution Fund as the Corporation has under sections 9, 11, 12, 13 and 15 with respect to insured depository institutions."

"(9) Corporation as Receiver. -- As of August 10, 1989, the Corporation shall succeed the Federal Savings and Loan Insurance Corporation as conservator or receiver with respect to any institution for which the Federal Savings and Loan Insurance Corporation was appointed conservator or receiver on or before December 31, 1988. When acting as such conservator or receiver, the Corporation shall have all of the rights, powers and authorities as the Corporation has as a conservator or receiver under this Act."

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FDIC & RTC COMMENTS ON S. 1970

APPFNDIX

Section [ ]. Page [ ]. "Definitions"

On page [ ], line [ ], insert the following new subsection:

"A new section 3(y) shall be added to The Federal Deposit Insurance Act, 12 U.S.C. 1813(y), as follows:

(y) INSTITUTION-RELATED PARTY.-- The term "institution-related party" shall mean any insured depository institution's director, officer, employee, agent, attorney, accountant, appraiser or any other party employed by or providing services to an insured depository institution."

Section 155, Page 21, "Disallowing Use of Bankruptcy to Evade Capital Commitments"

On page 21, line 16, substitute the following section:

"(c) PLANS UNDER CHAPTER 13.-- Section 1328(a)(2) of Title 11, United States Code, is amended to read as follows:

"(2) of a kind specified in--
"(A) section 523(a)(5), (7), (11),(12) or (13) of this title; or
"(B) section 523(a)(2), (4) or (6) of this title, when such debts are owed to the appropriate Federal financial institutions regulatory agency (as defined in section 8(e)(7)(D) of the Federal Deposit Insurance Act (12 U.S.C. 1813(e)(7)(D)), and in addition includes the Resolution Trust Corporation, and includes such an agency or corporation whether it is acting in its capacity as a conservator or receiver or in its corporate capacity, or a conservator or receiver of an insured depository institution (as defined in section 3(c)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c)(2))) or insured credit union (as defined in section 101(7) of the Federal Credit Union Act (12 U.S.C. 1752(7)))."

Section 155(d), Page 22, "Disallowing Use of Bankruptcy to Evade Capital Commitments"

On page 22, line 10, substitute the following section:

"(d) EXEMPTION OF PROPERTY.-- Section 522(c)(1) of Title 11, United States Code, is amended to read as follows:

"(1) a debt of a kind specified in--
"(A) section 523(a)(1), (5), (11), (12) or (13) of this title; or
"(B) section 523(a)(2), (4) or (6) of this title, when such debts are owed to the appropriate Federal financial institutions regulatory agency (as defined in section 8(e)(7)(D) of the Federal Deposit Insurance Act (12 U.S.C. 1813(e)(7)(D)), and in addition includes the Resolution Trust Corporation, and includes such an agency or corporation whether it is acting in its capacity as a conservator or receiver or in its corporate capacity, or a conservator or receiver of an insured depository institution (as defined in section 3(c)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c)(2))) or insured credit union (as defined in section 101(7) of the Federal Credit Union Act (12 U.S.C. 1752(7)))."

Pages 38-39, Section 255, "Fraudulent Conveyances"

On page 38, line 13, delete the word "affiliated" and insert in its place the word "related"

On page 38, line 21, after the word "involuntarily" insert a dash, delete the remainder of that sentence and add the following:

> "(1) made such transfer or incurred such liability with actual intent to hinder, delay, or defraud the insured depository institution, the Corporation or any appropriate Federal banking agency; or
>
> (2)(A) received less than a reasonably equivalent value in exchange for such transfer or obligation; and
>
> > (B)(i) was insolvent on the date that such transfer was made or such obligation was incurred, or became insolvent as a result of such transfer or obligation;
> >
> > (ii) was engaged in business or a transaction or was about to engage in business or a transaction, for which any property remaining with the institution-related party or debtor was unreasonably small capital; or
> >
> > (iii) intended to incur, or believed that the institution-related party or debtor would incur, debts that would be beyond the institution-related party's or debtor's ability to pay as such debts matured."

On page 39, line 23, insert the following new subparagraph:

"(D) RIGHTS UNDER THIS SECTION.-- The rights of the Corporation under this section shall be superior to any rights of a trustee or any other party under Title 11."

Pages 39-42, Section 256, "Prejudgment Attachments"

On page 40, lines 6-8, delete the words "(in the Corporation's capacity as conservator or receiver for any insured depository institution)," and insert the words "in connection with exercising the powers conferred by this section and Sections 12 and 13 of the Act,"

On page 40, line 13, delete the word "affiliated" and insert the word "related"

On page 40, line 14, insert the words "or may be" after the word "is"

On page 40, line 22, insert the words "or that the Federal banking agency can demonstrate that a fraud has occurred" after the word "appointed"

On page 40, line 23, delete the words "Section 8(i)" and insert instead "Section 8(h)"

On page 40, line 24, delete the words "(12 U.S.C. 1818(i))" and insert instead "(12 U.S.C. 1818(h))"

On page 41, line 3, delete the words "including actions brought in aid of, or to enforce an order in, any other civil or administrative action for money damages, restitution, or injunctive relief brought by such agency or corporation" and insert instead "this section, or section 7 or 18 of this Act"

On page 41, line 6, insert after "corporation" the following:

> "to the United States district court, or the United States court of any territory, within the jurisdiction of which the home office of the depository institution is located, the court may"

Page 47, Section 259, "Priority of Certain Claims"

On page 47, line 23, insert a comma and the number "12" after the number 11.

On page 48, lines 6-7, delete the words "or the United States" and insert the words "under Section 6321 of the Internal Revenue Code of 1986 and Section 3713 of Title 31, United States Code,"

On page 48, line 11, after the word "notice" insert the words "of the commencement of such other suit, claim or cause of action or, in the event that a suit, claim or cause of action is pending at the time the Corporation acquires claims under Section 11, 12 or 13 of the Act, 180 days after receiving written notice of such pending suit, claim or cause of action,"

On page 48, line 13, after the word "to" delete the words "file suit" and insert the words "pursue potential claims against such party", and after the word "diligently" delete the word "pursuing" and insert the word "investigating"

On page 49, lines 1-3, delete the entire sentence and insert in its place the following: "This provision shall not afford the Corporation priority as to any asset which is finally adjudicated to be unavailable to satisfy any subsequent judgment obtained by the Corporation as a result of its suit, claim or cause of action."

On page 49, line 3, add the following sentence: "This priority shall apply to both the prosecution of any suit claim or cause of action, and to the execution and satisfaction of any subsequent judgment resulting from any suit claim or cause of action."

The CHAIRMAN. Well, I'm going to ask you a very direct question. You've gotten the expressions of support and confidence from people up and down this table. We're in a critical situation of working through this problem. You're the right man in the right job at the right time, and I think, health permitting, and your own personal circumstances permitting, I think you ought to remain there.

I want to ask you directly why you're leaving and why the effort seems to be going on somewhere, by someone, to force you out of this job.

Mr. SEIDMAN. Well, I have come to the conclusion that I do not want to ask to be reappointed to this job. My term is up in October 1991. I think it is important to have somebody in this job, shall we say, for the long term, particularly with respect to the RTC.

I think it's important to have somebody in this job that the Treasury Department feels comfortable working with.

I have evaluated all those circumstances and indicating that I would leave before the end of my term. However, I want to tell you that I have made no decision on when that would be. I am particularly interested in making sure that I can leave with a feeling that I've gotten the RTC up and running and doing the job that Congress and the administration wants it to do in the very difficult assignment that it has.

The CHAIRMAN. Well, your term expires in October 1991. If you were to stay another year, and that would take us into the early days of August 1991, that would certainly leave, I think, more than an adequate period of time for transition to get somebody else suited up to come in.

So, I noticed a quotation in one of the papers to the effect that you'd made a reference to the point that you felt that somebody was trying to shove you out the door, and I think there was a reference to Mr. Sununu. And every time you felt that you were getting a push, it caused you to think you might stay another month or two. [Laughter.]

I don't know if that's an accurate quote. But I want to be very clear about it, as to whether or not you've been under some pressure to leave this job.

Mr. SEIDMAN. Well, I have said before, there are those who have indicated that they would like to have me leave the job, yes.

The CHAIRMAN. Has the reason been stated as to why?

Mr. SEIDMAN. Well, I think the basic reason was that they wanted to have somebody in long term who was their appointee. I'm a Reagan appointee.

The CHAIRMAN. Has there been any complaint made about your independence and your toughness?

Mr. SEIDMAN. No.

The CHAIRMAN. Well, let me make it as plain as I know how to make it.

I think we need people in these jobs who enjoy the broad confidence of the public and of everybody that is seriously involved in trying to solve this problem.

I think it's important that you be in this job. I don't think you ought to be shoved out of the job. I know it's not your nature to let anybody shove you anywhere where you don't think you ought to be. But I see your term running through October 1991. It seems to me we're really getting right into the heavy going in terms of resolving these problems.

I would hope that you would feel strongly that you have support, broadly-based support, both in the Congress and outside the Congress because of your reputation of independence and your experience and your expertise.

I would hope that you would feel that you would remain in this job and have the support to remain in this job as long as it needs to be done by a person with your capacity.

I don't think there ought to be any ifs, ands, or buts about it.

I'm very much of a mind to want to invite people here to join me in some appropriate form, maybe it's a letter to you or possibly also a letter to the President, making it clear that we would like to see you particularly, because of your experience and your know-how, stay on the job and have the support you need to get the job done, especially at this time.

And I feel very strongly about it. And I think a lot of other people around here do as well.

Senator KERRY. Mr. Chairman, would you yield on that point?

The CHAIRMAN. I will in a moment. I will in a moment because I feel very strongly about it. These are serious matters.

So I think it just needs to be laid right out there clearly and openly.

I want to ask you one other thing related to this before I yield to anybody. And that is, I want to know whether you feel you have all the resources you need to get the job done? And what I mean by all the resources, I mean the investigative resources, the money, the support, everything you need.

If you're in any way limited on the tools and the wherewithall to do this job, I want to know it right now and we'll undertake to move whatever mountains need to be moved to get you anything you feel you need.

Mr. SEIDMAN. Thank you, Mr. Chairman. I'll certainly take your words as very important in my determination how I should proceed.

I think at this time we have the tools that we need, particularly with these crime bills, if they are passed with the provisions as I've referred to them. We may develop other things later, but at this point, I think we have the resources that we need. And with the additional powers that we would receive, I think you will see some real results in these areas, even though we all understand they are very complicated and difficult cases.

The CHAIRMAN. So your testimony to us is that you're not short-handed at this time. You don't feel as if——

Mr. SEIDMAN. We are not short-handed for any reason, other than it takes time to find people and put them on and train them.

We want more people than we have now and we will have more people. But that's a matter of our simply being organized.

We have gone from no fraud squad to approximately a thousand, and we will be going higher than that if this caseload continues. We are intensifying our training of those people. But it's up to us to do the job.

The CHAIRMAN. Well, I want your commitment as well that at any moment that you feel you don't have the resources you need to get this job done, that you'll report that immediately to this committee. And my pledge to you is we'll do whatever it takes to see that you get the resources, both dollar resources, personnel resources, as well as the legal authorities.

We're coming down that track. We're going to get that enacted. And we'll make sure that anything that needs to be added in there is put in that legislation before we finish, because I want you to have all the power you need.

I don't want to lose sight of this first point. Now, I know some have asked me to yield, and I don't want to trespass on the time of other members. So I'll yield very briefly and I'm going to go to Senator Garn.

Senator **Kerry**. Mr. Chairman, very briefly. I simply wanted to say that I wanted to applaud your drawing out of this particular issue and your statement about how important it is.

I think your notion of the committee considering putting itself on record with respect to Mr. Seidman's departure is a very, very important one.

For the life of me, I don't understand why, when you have the complexities you face here, the time it takes to get up to speed, the significance of this crisis, all that is at stake, the one experienced hand who had the credibility of the Congress and the respect of the Congress and the American people who's called it like it is, is facing pressures to leave.

I must say to you, Mr. Chairman, that I am greatly disturbed and I know colleagues of mine with whom I've had discussions about it share the concern, that it is part of an effort to control better, to create a damage control situation that is aimed not at the benefits and negatives of the crisis itself, but at the politics of it. And I am very, very concerned about that, Mr. Chairman.

The **Chairman**. Well, I want to go down the table here and let members manage their own time.

Senator Garn.

Senator **Garn**. Thank you, Mr. Chairman.

Chairman Seidman, you mentioned the lack of explicit authority to rescind golden parachutes. I would remind you of our discussion of a couple of days ago. The golden parachute language is in the lender liability legislation. I think that legislation is important enough that I would like you to at least briefly repeat your answers in the modernization hearings about how important it is. In fact, I think the major answer that came in this same line of questioning a couple of days ago, the one thing we could do for you that would be very helpful before we left session was to pass that lender liability legislation.

So, I would appreciate it if you could just repeat your testimony.

Mr. **Seidman**. Yes, I certainly support that, Senator. That has some vital provisions for our proceeding on a cost-effective basis. The environmental provisions are very important, and there are a number of other provisions in there. Every one of them will save money to the taxpayer and are important to our getting the job done.

I hope Congress will pass it before it leaves.

Senator **Garn**. Have there been any other discussions that you're aware of between FDIC and EPA on any compromise?

Mr. **Seidman**. There have been some discussions. I went back after our discussion here and tried to see if we can enhance those discussions, and also talk to some of the groups that have opposed the environmental provisions and see if we can't make it clear to them what it is we need and why we need it. Why it really is not an issue that environmental groups representing people interested in the environment should oppose.

Senator **Garn**. Well, I appreciate particularly that last statement because, as I mentioned, I was baffled at their opposition, considering what is at stake and the potential cost to FDIC as a result of lender liability and bankruptcy and foreclosure cases.

Mr. Chairman, I'm not an attorney, which most of the time I've very grateful for. I look at all of these conflicting claims about what we ought to be doing about fraud. We've listened to a lot of witnesses. And one of the things that we constantly hear, which I certainly do not dispute, is the fact that these are very complicated cases.

We had testimony to that effect. And although we'd like to put everybody in jail yesterday, sometimes it takes months, if not years, to comb through some very intricate schemes and to punish and prosecute.

So we hear all kinds of different claims, if we just put more money, hire more prosecutors, hire more FBI agents, we can do it faster, or if we have bounty hunters and allow private attorneys on a contingency fee basis to go after people, all that will help.

I guess the central part of my question is, if we're running all of these different directions, some of the claims that I hear suggest that if we do some of these things, we will actually impede prosecutions and investigations by the regulatory agencies.

Can you sort this out for me and tell me if some of these things would be helpful? Or does Justice sometimes say, hey, if you send bounty hunters off, they're going to tromp on our evidence?

I sincerely would like to know where we balance because it's so popular now to just run after fraud. And, again, we certainly should.

But how do we do it most efficiently?

Mr. **Seidman**. Well, I think the most efficient thing is to have ourselves organized to really do the job. By ourselves, I mean the U.S. Government in all of the areas that are affected.

I think we started 4½ years ago with our fraud squad. If we were just starting now, we'd be well behind the curve. And I think that we need to make sure that this has a priority. I think it has now, but at some time, it may not have had the priority that it needed.

With respect to the bounty hunters or the Qui Tam type things, we do have some reservations about whether or not that kind of proceeding will be helpful in our end of the litigation, because, as I said before, first we have, I guess, the most litigious society in the world. To open up a vast new area for people to be able to file suits on behalf of others and so forth, I think raises some very serious questions.

I have a sheet here with our more detailed thoughts on the matter.

But just in general, we are doubtful that that will be helpful in the overall prosecution. I think this is the Government's job to do and the Government needs to be organized to do it.

Senator GARN. Well, I guess the thing I really want to know is, how do you think we can insure that we don't interfere with the Government's prosecution of civil and criminal penalties?

Mr. SEIDMAN. Allowing private groups to enter this litigation? I'm not sure that——

Senator GARN. No, I'm not suggesting that. I guess, If that's your opinion, I'd like to say it might or probably would interfere with ongoing cases if you had that situation. How do we limit this so that it's rifle shots and not shotguns out there with so many people doing so many things, that cases are being disturbed, evidence is being bothered, and people are falling through the cracks. That's what I'm trying to figure out, because I honestly don't know.

The tendency is to say, "do everything that's going to go after crooks," now that's the mood right now. "Let's do it." I'm trying to figure out how we narrow it down and do it most efficiently and accomplish what everybody on this committee wants to accomplish.

Mr. SEIDMAN. I don't have an answer to that because I don't know how you do that. We'll be glad to work with you to see if we can find a way to narrow it down.

Senator GARN. My time is just up, but let me close this line of questioning in this way.

If you would let us know if some avenues that are being pursued are counterproductive—maybe put it in that way—rather than asking you in advance. If there's something going on or some proposal up here that just doesn't make any sense, please let us know.

Mr. SEIDMAN. I have a short statement on that and I'll submit it for the record here.

Senator GARN. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Very good. Senator Dixon?

Senator DIXON. Mr. Chairman, some of the things I'm going to ask you about, I don't think you'd be prepared on this short notice to answer. But if you could supply some kind of detailed response later, I'd appreciate it.

You talked about our changing the bankruptcy law such as what we did in the crime bill, and I think that is significant. We want to be able to pierce the corporate veil, the veil of bankruptcy, anything else, to get to these assets.

But I think just yesterday, I noticed an article in the paper concerning differences in exemptions under the bankruptcy laws in the respective states.

Now, for instance, in my State of Illinois, it's been sometime ago since I visited this question of the bankruptcy law in my State, but I think we exempt household furniture and things like that. But I notice an article that says that Texas exempts the entire home residence and that some of these southwestern S&L operators have purchased $15 million castles and things like that as residences to evade the law.

Has that been called to your attention and can your office supply us with those details so that we can make a federal preemption in that field and prevent that sort of thing from occurring?

In any of the States—I'm not picking on one State. In any of the States.

Mr. SEIDMAN. Well, that clearly has been, those kinds of things have taken place. And that's why we are in favor of these provisions which will look through those State laws and not allow that to take place.

Senator DIXON. Will you evaluate what you've done, what we have done.

I see your aide, and I thank her for nodding.

Evaluate what we've done with respect to the bankruptcy thing to see to it that States still can't take advantage of exemptions that will prevent us from obtaining assets through this kind of operation or charade.

Mr. SEIDMAN. Yes. We have been doing that and we will report to you on that.

Senator DIXON. Now, again, this is before you became Chairman of the RTC, but does someone in your agency evaluate reports from others like the Inspector General, the General Accounting Office and others, to get information about some of these cases that I think some of us are concerned about?

I'll give you an example.

An Inspector General report that I have here in hand refers to a FSLIC manager who, in July and August 1988, unbelievably gave away a Chevrolet pick-up truck, a 1982 Mercedes automobile, a Buick Riviera, and a Mercury Cougar, and obtained no funds for these, transferred title, apparently.

The manager's been fired. The money wasn't recovered. And no prosecution took place.

I mean, are we following up those kinds of things that have occurred out there? The reason I ask that, I think there ought to be some kind of message given to people that are in this operation about the fact that any kind of incompetence, wrong-doing, or things of that kind, will be immediately dealt with and prosecutions will take place.

Mr. SEIDMAN. We follow up on every one of those that we know about. And we have had a number of cases that those kinds of things have taken place. We investigate them. If we find either civil or criminal liability, we pursue it.

Senator DIXON. Could I write you a letter about that and ask whether this particular individual has been indicted, whether we are pursuing this to recover the money and things of that kind?

Mr. SEIDMAN. We'd be pleased to respond.

Senator DIXON. Another thing that bothers some of us in the reports we get, this is a GAO report on a sale of fixtures and equipment in the southwest. Apparently, the contract was—do we still give out contracts on a noncompetitive basis on these things?

For instance, I'm told by GAO in their report, this was a noncompetitive contract given an individual on a fixture and equipment sale where there was $3,300,000 in assets. And after the whole business had been handled, only $57,000 was turned over to the Government.

That seems exceptionally egregious. I just wondered whether that sort of thing is being looked into to see that those kinds of practices are appropriately condemned.

Now, for instance, it appears here that the individual involved raked off $1,300,000 of the $3,300,000 by holding these fixture and equipment assets in his own warehouse.

Mr. SEIDMAN. Well, I'm not familiar with that case, but I'd certainly like to have the facts so that we can look into it.

In general, everything we do is on a bid basis. Only in very exceptional cases did we do anything without doing it on a bid basis, and that's in the nature of things, in an emergency situation or something where there's clearly someone who has a special expertise and is needed on a particular case.

But 99 percent of everything we do in both the FDIC and the RTC is on a bid basis.

Senator DIXON. I'm going to send this to you as well. I guess what I'm essentially getting at, Mr. Chairman, all this, may I again stress, occurred before you assumed this role, so I know you understand, it's not critical of you. I share the views of my colleagues about your exemplary service.

But the point I make is, this is such a vast thing out there, the temptations have to be so tremendous—there's billions of dollars that are going to be handled by individuals out there. And it suggests to me the opportunity for a second series of outstanding fraud matters in the operation of this thing. And I know that has to concern you as well.

And because you are such an honorable man, I would call your attention to the fact that apparently, before this came into your hands, there has been a considerable amount of misbehavior out there that has led to considerable failure to bring into the fold assets that we all seek to avoid losses by the taxpayers, ultimately.

And I think that's fundamentally the concern that all of us would share.

Mr. SEIDMAN. Well, we, of course, share that, Senator. In fact, you might say that we live in terror of what is going on out there.

We try to do everything we can in terms of internal control, not allowing any one person to make the basic decisions. We have five, I think, different auditing organizations that look at our transactions. They are free to go anywhere they want at any time and look at what we're doing.

But there's a great potential for that. Some of the kinds of things that you have referred to have happened on my watch. We've discovered them and pursued the people.

In the RTC, we have 4,000 new employees. If we didn't get one bad apple in there, I'll be very surprised. But I hope our system will catch up with them.

We did operate a $12 to $15 billion sales agency in the FDIC over a number of years and fortunately, it has generally been able to avoid those kinds of transactions in any large amount. But it is something that we are forever looking at. We have set up the best systems we know how. We've had the best internal control people look at it.

It doesn't mean something can't happen, but we are certainly aware of it.

Senator DIXON. I understand. One last question. The yellow light is on. It's this. Without regard to Qui Tam, and you know I was one of the cosponsors of that, I do think that one of the things that you might do, aside from having individuals out there getting involved in all of these lawsuits, and I ask you whether you're considering this, is on every case of every thrift to look at every officer and every member of the board of directors—harking back to my youth when I was on the board of directors of a bank, and I will repeat again, I can remember one time we made a loan to a turkey farm, and how we agonized about whether when that thing failed, we had violated the reasonably prudent man rule.

We all lived in fear of the reasonably prudent man rule.

Now, are we looking at every thrift and every officer in every thrift and every member of the board of directors in any case where there's a suggestion of fraud, gross negligence or impropriety, to file suit under the reasonably prudent man rule?

And incidentally, if you want to, as far as this Senator is concerned, go out and get private counsel around the country to do it on some kind of a reasonable, not offensive, but reasonable contingent fee case basis and recover this money for the taxpayers.

Are we doing that, or at least are we considering doing that?

Mr. SEIDMAN. No, we are doing that, not in cases where we suspect fraud, but in every single case.

Senator DIXON. Are you?

Mr. SEIDMAN. Every single director of every single failed institution is examined. We examine to see whether or not he or she has abided by his or her obligations. If we find a director hasn't, we bring suit, unless we believe there's no reason to bring suit, civil suit, because there simply are no assets, some of these people are in bankruptcy, and so forth.

But we go in on the assumption that there may be, that the director may have a liability in every single case.

Senator DIXON. Good for you.

Mr. SEIDMAN. And that's why it takes a lot of people and a lot of time.

Senator DIXON. Well, I think it's going to take a lot of people—if I could pursue it one more second, Mr. Chairman--I think it's going to take a lot of people a lot of time. It's too early to tell.

But I simply want to observe that in every case, if you do that with every officer, and if we give you the power to pierce the bankruptcy and the corporate veil and other things and to look at the question of whether there's been a transfer of assets to spouses and other things, and follow it and follow it into Swiss bank accounts and everything else, if we ultimately do that, I believe there's got to be a massive saving to the taxpayers by doing that in a very rigorous and forceway way.

Mr. SEIDMAN. We're doing it in the most forceful way we know how.

Senator DIXON. I have every confidence that you would.

Mr. SEIDMAN. In respect to every single institution that fails.

The CHAIRMAN. Very good. Senator Gramm.

Senator GRAMM. Thank you, Mr. Chairman.

Bill, let me address another part of the problem. I agree with everything Senator Dixon said. But I want to look at another side of the problem that concerns me.

It is a problem that I think is unavoidable. I'm concerned, though that you try to set up ways of trying to overcome the natural tendency to fall into it. And let me try to define the problem as I see it.

You have someone who is in a decisionmaking position. He is trying to make decisions concerning marketing of billions of dollars of assets that we are now the not-so-proud owner of. He is trying to make decisions about selling it, but his incentive structure is exactly the opposite of what you would normally have in the private sector.

If he takes risks, if he is bold and daring and goes out and puts these assets on the market, and they bring a good price, and we sell them off, and if as a result in 5 years the RTC is out of business, he may get a pat on the back, he may not.

On the other hand, if he is bold and daring and does something and it gets screwed up, or if some politician somewhere says he could have done it better and holds a series of investigative hearings, then he gets his picture on the front page of every newspaper in America and his career is ruined.

Under those circumstances, there is a natural tendency toward inaction. And since the taxpayer is the potential beneficiary of enlightened action and, obviously, the big loser from inaction, this is something that constantly worries me. I wanted to give you an opportunity to give me your views on it and allay my concerns and fears.

Mr. SEIDMAN. Well, I think that the basic fundamental problem you've laid out is there, Senator. We tried to meet it by first putting these assets in the hands of the private sector to sell.

What we are doing essentially is giving the private sector the right to sell these and earn a fee for selling them. So the large part of the selling is going to be done by the private sector.

They do have rules which we give them in terms of what price they can sell for and so forth. But almost all of our properties are being sold by the private sector. For the properties that we sell, we have what we call productivity standards. In other words, they have goals. Your job this year is to sell so much, and we believe that this is what you can accomplish and we will rate you and we will pay you on the basis of how you perform.

We have done that in the FDIC. I installed that system when we got there. I think it has been effective in meeting what is a natural resistance.

Now, it is still true that we are in the Government and we are subject to investigation by the press and by Congress and by everyone else. And that does tend to mean that you want to create a record that you can justify. That takes longer and you can't make deals in the same way as you would in the private sector. This frustrates the private sector many times.

On the other hand, we have rules. If anybody gives us a written offer for anything, they must get an answer from us within 30 days as to whether that offer is accepted or if it isn't, why it isn't accepted. We try to keep things from getting stalled in that way.

It's tough to do because we're getting billions of new assets every week. The size of this clean-up is so much larger than anything ever tried before in history, that we have to make our own rules as we go along.

But we are well aware of that and we rely on the private sector for most of the sales and we set goals for all of our people.

We just had a press conference yesterday to announce our sales goal for our fall inventory clearance sale of $50 billion between now and the end of the year. There are individuals responsible for each part of that $50 billion and they will be evaluated on whether they achieve their goals or not.

Senator GRAMM. Well, Bill, let me say this. When we wrote this bill, many of us responding to legitimate worries wrote into the bill a lot of provisions related to fire sales. And as we discussed this in the early days, that was a concern.

In a city like Austin, Texas, where the Federal Government is now a substantial property owner, I think fear of a fire sale of assets, which would have pushed those financial institutions that have managed to survive into bankruptcy, was a concern.

But I just want to say, as one member of the Senate and a member of this committee, that my concern now is more with regard to inaction than it is to precipitous action. The more I look at this problem, the more convinced I am that we will lose more money waiting around than we will if we go ahead in an orderly way and market the assets now.

In fact, I'm convinced, having looked at my State, that the real estate market has already, at least partially, discounted the impact of these sales. The market has already adjusted downward, knowing that this sale of assets has to occur. The longer we keep all that property sitting there, the longer we're going to have this dead weight, like a cold, wet blanket over the market, and the longer we're going to limit economic growth. And, most importantly, from the point of view of this hearing, the longer we're going to cause the taxpayer to lose money.

So I just want to urge you onward and upward.

Mr. SEIDMAN. Well, as you know, Senator, even during the days when the other side was making all that noise, I've always been on the side of saying that holding assets for future sale was unwise.

Unfortunately, we have some $30 to $40 billion of assets that were put under income maintenance contracts by FSLIC before we inherited them, and those are there and they were designed to keep the property off the market.

We are studying them now to see if there is a way that we can change that strategy. But in your State—most of them apply to your State—there are billions of dollars that are being held off the market under the contracts that were signed.

So, to reverse that, we're going to have to make some important decisions and Congress will have to decide whether they want to finance them or not.

Senator GRAMM. Let me just say that I am prepared to lend a hand in anything I can do to help on that. I think that just holding property and paying people to hold it is not a good use of the money of the working men and women of this country.

The CHAIRMAN. Let me just say, as we all know, the Attorney General was supposed to join us, and will shortly join us.

What I'm going to try to do is I think we're going to try to stay with one round here. If somebody's got a major sort of wrap-up point to make, we'll try to accommodate that.

But other than that, I want to try to—I don't want to hurry here, but I do want to make sure that we also get a chance to get to the Attorney General.

Senator Shelby.

Senator **SHELBY**. Thank you, Mr. Chairman.

Mr. Seidman, using your words just a minute ago, that you've got to create deals that you can justify, that the agency can justify, that the executive that reports to you can justify.

That's basically what this is founded on, isn't it?

Mr. **SEIDMAN**. That's correct.

Senator **SHELBY**. OK.

Mr. **SEIDMAN**. We have to show that we used reasonable judgment.

Senator **SHELBY**. Now, it's my understanding that the FBI has launched a major investigation into allegations of political favoritism and influence peddling in connection with some of the deals, not all, but some of the deals in the Southwest plan, particularly the Bluebonnet deals, the ones I mentioned earlier—15 thrifts sold to someone whose company was indicted and who was run out of my State of Alabama 14 or 15 years ago.

Now, of the criteria applied to prospective purchasers or acquirers is integrity one of those criteria? And if not, why not? And how did the Bluebonnet deal slip through the net if it is?

Mr. **SEIDMAN**. Well, integrity is a part of the criteria for both banks and S&L's.

Senator **SHELBY**. Is it a big part?

Mr. **SEIDMAN**. It is a major part.

Senator **SHELBY**. It should be the biggest.

Mr. **SEIDMAN**. Our board gets an opinion from our staff on every single purchaser as to whether the character of the purchaser is such that we can allow them to purchase a financial institution.

Now, in the case of your State and the problems with Mr. Fail, I have to say that, in the FDIC's case, Mr. Fail——

Senator **SHELBY**. Is that the Oklahoma bank?

Mr. **SEIDMAN**. The Oklahoma bank—we did not have all the information on him that we should have had.

He, himself, didn't give us the right form and we didn't notice it——

Senator **SHELBY**. Was there fraud at the outset in the acquiring process or is that something that the FBI and you are looking at?

Mr. **SEIDMAN**. There was nothing wrong with the process. We simply didn't carry the process out to the degree that we should have.

I will say that in that case, Mr. Fail didn't get any bargain. I mean, he paid ten times what the nearest bid was to his bid.

Senator **SHELBY**. Did the taxpayers get a bargain when Mr. Fail got this deal? There are allegations that taxpayers are going to get hit for $3 billion on the Fail bill.

Mr. **SEIDMAN**. That's the Bluebonnet deal. That's a separate deal.

Senator **SHELBY**. That's right.

Mr. **SEIDMAN**. We are reviewing that right now.

Senator **SHELBY**. Well, you don't really know yet.

Mr. **SEIDMAN**. I don't know the answer on that.

Senator **SHELBY**. You're going back and reviewing the records.

Mr. SEIDMAN. We are reviewing it both for legality and in cooperation with the FBI and all the rest, and we will be reporting to Congress. The Chairman has written and asked me to notify him as soon as we're ready to report, and I will certainly do that.

Senator SHELBY. And if you find fraud——

The CHAIRMAN. May I just say, if you'll yield just at that point. We have an understanding that Chairman Seidman will be in here the minute he's ready to lay this out. And so we'll have an opportunity to hear that from A to Z.

Senator SHELBY. Well, we all have a lot of confidence in the Chairman. We're just trying to discuss the criteria that were used by people working with FDIC and working in the late 1988 deals. Shouldn't these deals be able to withstand sunshine shining in on them?

Mr. SEIDMAN. They certainly should. In the case of the Oklahoma bank, we had the right rules and the right procedures. The Oklahoma commissioner was not aware of this and gave us the assurance that Mr. Fail was okay.

We didn't get all the information from Mr. Fail himself.

Senator SHELBY. Could there be fraud, Mr. Seidman, on the part of some of the people in your organization or in the old thrift organization or the people who were helping Mr. Fail acquire these units?

Mr. SEIDMAN. I don't know. I don't know. In our own organization, we are looking very hard on that. I have asked our IG to investigate it and make a complete report to me on every step in that transaction, with a view to finding out if it was a mistake or anything worse.

Senator SHELBY. And if there is fraud, you plan to prosecute, don't you?

Mr. SEIDMAN. We certainly will refer to the Justice Department for prosecution.

Senator SHELBY. So if you're going to prevent fraud in banks in the future, aren't you going to have to tighten the criteria of who serves on the board of these banks, who runs these banks, who owns these banks? Shouldn't that be number one, that is, maintaining confidence in the integrity of the people, including the regulators? Otherwise, the taxpayer will never have any confidence in the whole banking system.

Mr. SEIDMAN. That is vitally important to our system. We rely upon independent directors to exercise independent judgment in operating financial institutions and we rely upon them heavily, because they are the people who are there and we hold them responsible for acting in accordance with the prudent man rule.

Senator SHELBY. Are there any criteria for bank directors concerning their knowledge of financial institutions, their obligations, and so forth, or is that an aspect in which we are sorely lacking?

Mr. SEIDMAN. We do not pass on their competence. We give them——

Senator SHELBY. Shouldn't you, though?

Mr. SEIDMAN. Well, that is a very difficult thing to do. We can pass on whether they've been convicted of crimes and other things. For us to be able to pass on the competence of every individual director, I think would be a very difficult thing. There might be some tremendous injustices done.

I don't think we can do that. But we can look at how they behave once they get there. We give every director, when he becomes a director, a little statement—here is what you are responsible to do, and you will be held liable if you don't do this. And then we follow-up, once they're there, to see that they are carrying out their duties. And when they don't, we sue them, or remove them.

Senator SHELBY. But part of the problems over the years has been the rubber-stamping of decisions of the CEO by various directors who really didn't know what was going on at the banks, I wouldn't say they didn't care, but just were not involved as a director should be.

Is that a fair statement?

Mr. SEIDMAN. There's no question that that was a problem. Directorships, to some extent, were considered honorary positions in the community. And many people did not realize the amount of responsibility they were taking on. We pursue that. If there's one thing that gets our staff up and going, it's rubberstamping.

Senator SHELBY. Well, the American taxpayer deserves better, doesn't he?

Mr. SEIDMAN. You certainly have to do better.

Senator SHELBY. My time has expired.

The CHAIRMAN. Very good. Senator Bond.

Senator BOND. Thank you very much, Mr. Chairman.

In one of your answers, you just mentioned the reliance that you put on a high-quality director to help manage the institution.

Professor Gup, one of the witnesses who testified yesterday, said that an active, informed, responsible board of directors is the first line of defense against bank fraud.

I am concerned about the current atmosphere and perhaps some of the things that we're doing might make it more difficult to get exemplary individuals to serve on the board.

We have, I think quite rightly, gone after directors who have been certainly criminally negligent or who failed to live up to their duties. We stiffened penalties.

But I read recently in business magazine articles a significant concern that by going after these individuals and their insurance, we are going to make it impossible for many financial institutions to get the kind of directors they want.

Has the FDIC finished its report on the availability of D&O insurance, and do you have any general observations on that problem?

Mr. SEIDMAN. The report is not yet finished. It's an interagency report. But it is very near completion. At this point, I think both Justice and we have signed off and we are waiting for the third group to sign off.

However, the issue you raise is an important one. When I came to the FDIC, we sued every director in every failed bank. I mean, we didn't look at anything. We sued them on the basis that if the bank failed, the director should have known better.

Having come from being a bank director myself, I didn't think that that was a fair standard. Our standard now is to look at the performance of directors and determine whether, under the law, they are liable because they did not carry out the duties as the law required.

So we don't sue every director, but we certainly look to see whether or not they are liable.

It certainly is true that these suits have an effect on people's willingness to be directors. That is why we try to be very careful, fair, and even-handed. We have a process that, in effect, four key people must sign off before any director is sued. So that if our independent judgments determine that there is a performance which results in legal liability, I think that we must pursue that. Anyone who doesn't want to be held to the standard of using due diligence in their job as director shouldn't be a director.

Senator BOND. One of the things that frankly concerns me a great deal, and I think several other members of the committee, we have seen reports of very significant increases in criminal referrals, both in the thrift industry and the banking industry.

I would really welcome your opinion as to whether we're just getting better at finding fraud or whether there is a significant increase in the incidence of it. And I'd like to know your judgment if there are structural problems in the system that allow it to flourish.

I might add that one of our witnesses, Mr. Maffeo, yesterday said that brokered deposits were, in his view, one of the things that made criminal fraud much easier to perpetrate.

I'd welcome your comments on that area.

Mr. SEIDMAN. Well, I think, clearly, in the S&L industry, in the 1980's, we saw a great increase in fraud and insider abuse. It's always a problem, but there is no question that there was a tremendous increase in the S&L industry in the 1980's.

I think in the banking industry, we have not seen that kind of an increase. It's always there. There are always people who will try to defraud you.

We hope we're getting a little better. The numbers do show some increase. But I don't think it shows some new systemic problem.

Of course, we pursue it. We have pursued new initiatives. Our red-flag initiative was essentially to bring to our examiners' attention that part of their job is to look for fraud in every bank that they walk into. They are not to assume when they walk into a bank that there's no fraud there. They're to look for it in every case.

Senator BOND. Professor Gup yesterday cited rules that restrict branch banking and mergers as a significant contributor to bank fraud and bank failure by promoting large numbers of small banks that don't have sufficient capital to withstand adversity, and also perhaps may not have sufficient quality individuals to serve on their boards of directors.

Do you agree?

Mr. SEIDMAN. Well, I would hate to generalize in that regard.

In the first place, small banks have higher levels of capital than big banks do, by a considerable margin at this time in the country. It is true in some small banks, there are problems of internal control because they're so small.

But, overall, I would not say that fraud in small banks is a major national problem. We have it, but it certainly is not a major national problem.

It is true that small banks get into trouble when their economic area gets into trouble. That is something that allowing national branching or some other thing, will help to cure.

But I would be very careful in my view to protect the ability of small banks to operate in this country because while they have some problems, they also bring with us decentralized control and judgments on the financial intermediation process by people who are in the area and not a thousand miles away. And I think that's very valuable.

I didn't answer your comment on brokered deposits. Yes, brokered deposits, before they were controlled, did make fraud easier in the institutions. We think we have moved on that now. We have prosecuted some people, but they're clearly uncontrolled. They did make it easier.

Senator BOND. Mr. Chairman, there are a lot more questions, but I'll let my colleagues ask them.

The CHAIRMAN. Very good, Senator Bond.

Senator Kerry.

Senator KERRY. Thank you very much, Mr. Chairman.

Mr. Seidman, let me pursue along the lines of my opening statement some questions about the nature of the fraud.

I gather there have been a lot of questions about the FDIC and so forth. But as you prepare to depart, can you leave us with your definitive assessment of what kind of fraud we're looking at?

You once said you thought 60 percent of the institutions that you had looked at had instances of fraud. Do you stick by that number?

Mr. SEIDMAN. Well, the number changes. We get more institutions. We've been getting—we took the worst first. And so the number now is somewhere down in the 50 percent range. It's been going down, we found.

Senator KERRY. Can you give us a sense—what's that number? Fifty percent of how many?

Mr. SEIDMAN. Well, we have about 450 institutions that we've taken over in the RTC.

Senator KERRY. So 225 or so, whatever.

Mr. SEIDMAN. Roughly, ones where there's indication of fraud, where we are pursuing to see whether there is fraud that can be prosecuted.

What I'm saying is that there are indications of fraud and we are pursuing those indications in those institutions.

I don't think you can make a definitive statement of what kind of fraud. It is every kind of fraud that mankind can think up, from very crude attempts to simply take our large amounts for personal use, to very sophisticated land-flipping and other types of things, which, I'm sad to say, were guided by very high-priced consultants who were well aware of the law and how to try to avoid it.

In some of the cases, we find hundreds of thousands of dollars paid to outsiders to help construct these fraudulent schemes.

Senator KERRY. Now, in the book, "Inside Job—the Looting of America's Savings and Loans," in a chapter, "What Happened?", there's the following statement, and I'd like to just read it to you.

> At nearly every thrift we researched for this book, we found clear evidence of either mob, teamster, or organized crime involvement. Only one conclusion was possible—the mob had played an important role in the nation-wide fraternity that looted the savings and loan industry following deregulation.

Can you comment on that?

Mr. **Seidman**. Well, we certainly have found evidence in certain institutions of mob involvement. We have not found pervasive mob influence as the book indicates. However, that doesn't indicate that what they say is wrong.

Senator **Kerry**. No, they say that of those institutions they looked at.

Mr. **Seidman**. The ones that they looked at were concentrated in a certain area, and so forth.

But we have found mob involvement in various places around the country and, of course, we pursue that as we would any other criminal activities.

Senator **Kerry**. Now, can you give us a description of the kinds of fraud? When you say 225, 50 percent of the institutions currently taken over, you're talking about every kind of fraud.

Would you give us, so the committee can understand better, and I think the American people can understand better, what kinds of fraudulent schemes we are talking about here?

Mr. **Seidman**. Well, first, the big loss frauds essentially revolve around one person or one small group getting control of an institution and using that institution to line their pockets. They have innumerable ways to do that, from being on both sides of the transaction—in other words, loaning money to themselves, getting fees for doing things for the institutions, every way you can imagine to get a payment from the institution to themselves.

They also have taken funds for their personal living and for all kinds of extravagant things. They have been involved in all kinds of schemes which result in their making money somewhere else out there, but they got the financing from their institution. They have financed buildings for which there was no clear evidence at all that anybody would ever use it because they could make money on the transaction themselves.

Fundamentally, it is an individual who got control of a financial institution and used it for his own personal gain. That's why it is so important that we look at who has control of these financial institutions.

We look with great suspicion on any financial institution where one person or one very small group has total control.

Senator **Kerry**. Now, recently, there have been articles written in USA Today, there was an article—"How Do the S&L Crooks Keep Their Fortunes, Or Part of Them?" They use bankruptcy laws, trusts and foreign bank accounts to shield assets.

An editorial in the Washington Post in April of this year—"Perhaps some of it got salted away in Swiss bank accounts."

In U.S. News & World Report, July 2—Government investigators have evidence that as much as $1 billion in deposits siphoned off in the massive savings and loan scandal has been transferred to secret bank accounts in Switzerland, Panama, the Camen Islands and the Pacific Island nation of Naru. The money may never be recovered because officials in these nations are stonewalling all attempts to trace sources of the deposits.

In one case, an official of a California thrift made quarterly deposits of $15 million into a Swiss account for years.

To what degree—I've raised this money-laundering issue for some period of time and I'm still concerned that we are not looking at that hard enough. Do you have evidence, do you believe that significant sums have been transferred into offshore accounts?

Mr. SEIDMAN. I think there is no question that some sums have been transferred. How much they are is very difficult to estimate because of all the clever schemes. The cleverest revolve around what happens to this money after they get a hold of it. That is very hard to follow.

Senator KERRY. How much have you identified to this point in time?

Mr. SEIDMAN. I couldn't give you a number. I'll be glad to look at that and give you a number.

We have a number of cases that we are looking at to try to identify whether that took place, and if so, how much? That is tough to do because after they've stolen the money, so to speak, then you're trying to find out what they did with it.

If they can just get on an airplane with a suitcase and go somewhere, and you have a very difficult time tracing that kind of thing. I'm sure there's more of it than we've found. We are certainly looking for it, and particularly in the big cases where there are big amounts of money involved.

Senator KERRY. All right. Well, I have further questions, but my time is up.

Mr. Chairman, thank you.

The CHAIRMAN. Very good. Senator Mack.

Senator MACK. Thank you. I would like to move to another area. Our objective, obviously, all of us, is to try to reduce the cost of the S&L problem to the taxpayer. We have rightfully been focusing on the fraud issue. But I can't help but take this opportunity since yesterday there was the announcement of the $50 billion in asset sales out of what, I guess roughly, what?

Mr. SEIDMAN. $160 billion, I think.

Senator MACK. It seems to me that one of the important issues that was not in your control, but might be in ours is the reduction of the capital gains rate with respect from two points of view.

I would make the argument that a lower tax rate increases the value of assets, number one, and number two, specifically with the capital gains tax reduction, with what most people refer to as unlocking, the unlocking of assets, the willingness of people to sell assets, could in fact make a very large sum of money available in the investment pool of this nation, which I would suspect would increase the value of those assets in which you're trying to sell.

I'd be interested in your reaction as to whether you think that that would be of benefit in the sale of those $50 billion.

Mr. SEIDMAN. Well, I think in a number of things we have to sell, the purchasers would be more inclined to buy if they knew that if they made a gain, that the tax would be lower. So I think there's no question that that is true.

We have a substantial number of purchasers who are tax-exempt, such as pension funds and so forth, and it wouldn't involve them.

But there is no question in my mind that a great many of the people who are our purchasers are buying these assets for the purpose of seeing them appreciate and then selling them. Clearly, if the tax rate was lower, they would be more interested.

Senator MACK. Do you have any thoughts about the so-called unlocking effect? There may be large pools of funds out there—there is no movement, if you will. People don't want to sell the asset because they think the rate is too high. And second, there's this anticipation that maybe there might be a lower rate and without that, those pools will not be available to make the investments.

Mr. SEIDMAN. Well, I certainly haven't studied that. But it seems to me, just from my own experience, that if you think they're going to lower the rate, you won't do anything until you find out whether or not they're going to. Obviously, you take the rate into consideration when you're thinking of selling something.

So I would think that both of those things are supportable.

Senator MACK. So you would conclude that a lower capital gains rate would be of benefit to the RTC and to the taxpayers in helping move these billions of dollars of assets through the market.

Mr. SEIDMAN. I think as far as our sales go, it would be beneficial, yes.

Senator MACK. OK. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Mack.

Senator Bryan.

Senator BRYAN. Thank you very much, Mr. Chairman.

Following on Senator Shelby's line of questioning about some of these incredible things that have happened, particularly the Bluebonnet case and you're looking into that, and the pervasiveness of political influence in some of the decisions that have caused this problem—you know, you come to us as a man of unimpeachable integrity. That's my own personal view, and we've all, I think, said some good things about you this morning in a bipartisan sense.

Having been in the arena, have you yourself, or your staff, been subjected to any kind of political pressures to withhold action or to initiate action or to favor particular groups or individuals at all, Mr. Seidman?

Mr. SEIDMAN. As far as the FDIC is concerned, it's been a very minor factor. There have been a couple of instances where people obviously were trying to influence us with respect to particular transactions.

But I would say that it's very limited. I think in the entire time I've been there, I could think of maybe two or three instances where it would appear that people were trying to push us to a decision.

Senator BRYAN. Has there been any change as your role has expanded into the RTC?

Mr. SEIDMAN. Well, I don't think there's been any change. I find that I'm a sort of a pariah. Whenever I come around, elected officials depart the scene so as not to be seen as trying to do anything.

We haven't had any influence efforts as far as I'm aware that could in any way be considered improper.

Senator **Bryan**. As an editorial aside, it seems to me that that's a compelling argument for your continued public service, Mr. Seidman. I think that's most commendable.

Let me address now a question that arises. The Dallas Federal Home Loan Bank made some statistics available to the committee that indicated, in effect, that with respect to the source of criminal referrals, that about 73 percent of all the criminal referrals originated with the defrauded institution itself, then went on to observe that 20 percent originated with State or Federal examiners.

My question is twofold. Is this statistical data in Dallas, has that been borne out by your experience across the spectrum?

And if so, is this the nature of the beast or does it indicate to you that those who are charged with the responsibility of regulating and oversite—that is, the bank examiners themselves, the S&L people, both at the Federal and State level—do not do a very effective job either because of lack of training, lack of time?

That just struck me as an unusual statistic.

Mr. **Seidman**. Well, I think one has to be very careful with statistics.

I think what you will find if you go behind those numbers is that the large number of referrals are the small cases. Those are the teller dipping in for a few bucks and those kinds of things.

Senator **Bryan**. I see.

Mr. **Seidman**. And it proves that the institutions are reporting those things. But the big frauds that we're talking about and so forth, where the taxpayer really is getting hit for the big money is in the 20 percent.

I would expect that if you look behind those numbers, that's what you would find.

Senator **Bryan**. We had some testimony yesterday from a Professor Gup. Among the comments that he made is he went on to say that between half to two-thirds of all of the newly, the de novo S&Ls chartered in 1980 to 1982, failed before 1987. And then commented further to say that the only type of institutions which have a failure rate equal to or greater than that is restaurants.

Does that say something about the process by which we approve new institutions, the kind of corporate leadership in terms of the chief executive officer, the board of directors? And if so, do we need to look at that?

Mr. **Seidman**. Well, I believe we do. I think you'll find very comparable, not quite that bad, but very comparable statistics in the banking area.

That is, a great many institutions were chartered that, in and of themselves, were a threat to the insurance fund from the day they started. That's why I have continued to urge upon this committee the thought that if you want your insurance fund to be responsible for its operations, they must have control over who can be insured. They must have that control separate from the charterer so that there is a check on charterers.

And I've said many times, in the case of the Comptroller, while Robert Clark is there, I have no problem. However, I don't think the system is right because I think the insurer should be able to say, I will not give this new institution insurance. It doesn't have a reasonable chance of succeeding. It's undercapitalized. It's in an area where there are already too many institutions, et cetera.

Senator **Bryan**. I see the light's going on, but my last question is you made a comment on page 21 of your testimony that you strongly favor the amendments to the Federal bankruptcy code that would enhance the FDIC's ability to recover funds from individuals who have defrauded federally-insured financial institutions.

One of the things that has been previously commented on that absolutely inflames the public is when they see someone who has been identified as having victimized the public by massive amounts of misconduct, fraud of the most egregious kind, and billions of dollars, ultimate liability of the public. And then the next visual image on the screen is the 50-acre estate and the 40-room mansion that he and his wife are living in as a consequence of some provision of the law. We talked a little bit about the homestead exemption.

My question to you is, assuming for the sake of argument that the new provisions in the bankruptcy code that enhance your ability to recover were in effect, can you quantify for us how much more we might have been able to recover on behalf of the American taxpayer?

Mr. **Seidman**. I can't do that. In dollars, it would not be huge amounts. But in terms of bringing justice to the system, it's vital.

It inflames me as part of the public, if you will, when you see it, and when we're powerless to do anything about it. And that's why we strongly support the Senate bill. The House bill does not have those provisions. And we hope the Senate will prevail.

Senator **Bryan**. Thank you very much, Mr. Seidman.

Thank you very much, Mr. Chairman.

The **Chairman**. Let me just indicate, the Attorney General has arrived, is in an adjacent room making some phone calls.

We have three members left who I know want to ask questions of Chairman Seidman. We also have been informed that we will probably have a vote on oil spill liability in about 15 minutes.

So what I'm going to try to do is I'd like every member to have their opportunity to address questions to Chairman Seidman. And then in all likelihood, we'll have that vote occur, unless it slides, but probably, it will occur. And then I would envision that we would leave long enough to make that vote, excuse Chairman Seidman. We may want him to come back. He's offered to come back other times. He's going to be back before us. It's not going to be the only time we see him.

But I think it's very important that we also get to the Attorney General today, and I know committee members feel the same way.

So I'm going to proceed on that basis. I just want everybody to be informed.

Senator Kassebaum.

Senator **Kassebaum**. Thank you, Mr. Chairman.

I think I'll start asking my questions during opening statement. But I would also like to say that just because I didn't comment in the opening statement, my respect for the work you've done at the FDIC is no less than anyone else.

Mr. **Seidman**. Thank you.

Senator **Kassebaum**. I'd like to follow through on a question raised by Senator Bond regarding the possibility of fraud with broker deposits.

Are there any restrictions or qualifications on those who can merchandise broker deposits?

Mr. **Seidman**. I'm not aware of any, no.

Senator **Kassebaum**. Do you at the FDIC have any way of knowing who the large merchandisers are of these?

Mr. **Seidman**. Yes, we know who they are because we examine the institutions when they come in, yes.

Senator **Kassebaum**. Do you monitor those activities at all?

Mr. **Seidman**. We monitor them. We get reports on them on a regular basis on every institution that has broker deposits over, I think, 5 percent of their total deposits.

Senator **Kassebaum**. If there is any activity there that appears to be out of the ordinary, do you send a notice?

Mr. **Seidman**. There's no quicker way to get an examiner into your bank than to go over the 5 percent.

Senator **Kassebaum**. Well, you said, it was in the paper this morning, talking to a group yesterday, that not all the deposits, for instance, in a failed Texas thrift, came from Texas, that the money in a failed Texas thrift could have been money that had come from a CD purchased by a corporation in New York through a Boston broker.

And I guess I would like to ask you why this money would be moving towards a potentially failing thrift in either Texas or Kansas?

Mr. **Seidman**. Because they were paying high rates when they were insured by the Government.

Senator **Kassebaum**. Exactly. And at some point, should we not have questioned that activity?

Mr. **Seidman**. We certainly should have. We made a horrendous mistake.

The institutions did try to and went to court to try to stop that. The court held that they did not have the legal power to do so, and there was no action by the Congress, although they requested action to give them the legal right to control it.

Senator **Kassebaum**. Do you feel now with some of the restrictions that we have put in place, that that activity now could not take place?

Mr. **Seidman**. I think it is under control at the moment, and I think we have the powers to control it.

Fundamentally, the way you have to control it is by controlling what institutions do with this money. That's part of the total safety and soundness system.

I think at this point it's under reasonable control. However, we watch it all the time and we may be back and tell you we need something else to help us.

Senator **Kassebaum**. Would a restriction of $100,000 per deposit help?

Mr. **Seidman**. That would certainly have an important effect on what brokers could do. It would also have an important effect on the whole system which we are not yet clear on. We are studying that very carefully.

But I would just like to say for the record because I think there may have been some confusion, that we are studying that, but we are in no way ready yet to recommend that to you as something that ought to be done.

Senator KASSEBAUM. If that restriction had been in place, would that have prevented all that massive shift in funds to failing thrifts?

Mr. SEIDMAN. It certainly would have been a controlling factor, yes, assuming it can be enforced properly.

Senator KASSEBAUM. We've really not regulated in any way until just recently. It's sort of like closing the barn door after the horse is gone, the broker deposit industry, so to speak.

It would seem to me, and I'm glad to hear that you're looking at that aspect and many other aspects of this, when is that going to be completed?

Mr. SEIDMAN. Well, we just look at it on a regular basis as part of our examinations. If we find anything that we think needs further legislative action, we would certainly recommend it to you.

At this point, we don't have any further recommendations. But we are looking, as you know, Senator, at the whole deposit thing.

Senator KASSEBAUM. Yes.

Mr. SEIDMAN. And I testified, what was it, 2 days ago on that. In my testimony, I indicated that there are some important changes that we think ought to be looked at which would restrict brokered deposits by their nature.

Senator KASSEBAUM. Thank you very much, Mr. Chairman.

The CHAIRMAN. I might just say, Senator Kassebaum, that that history on broker deposit is a very important part of this puzzle, and it ought to be laid out from A to Z.

Senator KASSEBAUM. Yes.

The CHAIRMAN. I think it's fair to say that Chairman Gray had a very serious concern about that at the time that the courts struck that down and got into a battle royal, according to his testimony under oath, with Don Regan, who was at the White House at the time and who felt very strongly that the broker deposits ought to continue. And Ed Gray was on the other side of that.

And that was sort of the beginning of a real struggle between the two of them.

Is that not correct, Chairman Seidman?

Mr. SEIDMAN. I understand that that is the case. I know that Chairman Issac of the FDIC was with Gray and both agencies tried to exercise that control.

The CHAIRMAN. Right. Very good.

Senator Graham.

Senator GRAHAM. Thank you, Mr. Chairman. I have several questions, and given the shortness of time, will try to state them briefly. If Mr. Seidman would like to supplement his answers, I would appreciate it.

First, you have stated that you believe that in terms of protecting the FDIC fund, that there should be an independent insurance examination underwriting from the chartering function.

That is somewhat different than the position of Mr. Greenspan, whose position has been if there's sufficient capital required, that that, in and of itself, will suffice.

If that is a correct statement of the difference of opinion, would you care to elaborate on why you feel capital is not sufficient?

Mr. SEIDMAN. I'd be pleased to. I can do it perhaps with more accuracy because I had breakfast with Mr. Greenspan this morning and we agreed to disagree on that issue.

So I can tell you that as of today, we disagree.

It is not that I oppose his thoughts that more capital would be good for the system. But I do not believe that capital alone can contain the problem.

I cite to him often the Texas banks which were the best capitalized large banks in the United States, generally running 9 to 10 percent capital. And 9 out of the 10 largest ones failed or would have failed.

I think capital is very important. I agree with him that we ought to have more capital. But we also operate in a world system and we cannot require vastly increased capital from our institutions without, in my view, doing it on an international basis.

And so we both agree that more capital is desirable. We just don't agree on the fact that that's the answer, that's the sole answer.

Senator GRAHAM. Has the FDIC developed suggested legislation that would separate the underwriting function from the chartering function?

Mr. SEIDMAN. Well, we have, in effect, done that now under FIRREA. The charterers are separate, in OTS and in the Comptroller, and in the states, and the insurance fund, is separate.

What we don't have is the ability to refuse to insure somebody who is chartered in a national bank.

Senator GRAHAM. That is the question I was asking you.

Mr. SEIDMAN. Yes.

Senator GRAHAM. Have you developed legislation that would give you that authority to make an independent——

Mr. SEIDMAN. That legislation was in the bill and was taken out. So it's right in the record there.

I'd be glad to resubmit it to you.

Senator GRAHAM. Thank you. You mentioned the sharp increase in S&L fraud that occurred in the 1980s.

Could you give us your diagnosis of why that occurred and then your prescription of what we ought to do based on that experience to avoid its repetition?

Mr. SEIDMAN. It occurred because we opened up the possibility of all kinds of people buying S&Ls and gave them all kinds of powers to invest in almost anything they wanted to. And they had deposit insurance of an almost unlimited amount because there were no capital standards. They were given all those things and without supervision to see what they were doing with the money.

So the net result was what you would expect. We attracted a certain amount of high-fliers, crooks, and others who went wild, if you will, and there was no policeman on the beat.

Senator GRAHAM. You mentioned earlier the fact that there were people who were working as advisors to these institutions helping to put together deals that you're now looking at to determine whether they were fraudulent.

What is your assessment of the adequacy of the current law to go after those people who were external to the institution, whether they were accountants, lawyers, appraisers, deal put-togetherers, who were part of the fraud and conspiracy?

Mr. SEIDMAN. We do pursue all of them. I'd like to have my professional staff answer that, if I might. I think there may be some things that could enhance our ability. In general, I think we are able to pursue them.

But, if I could, I'd like to have staff reply to you.

Senator GRAHAM. One of the issues in the——

The CHAIRMAN. Could I just interrupt for a minute? We're on the second bells. I want you to ask this question. Then I've indicated I want to try to accommodate Senator Heinz before we run out of time.

So maybe if we can try to do both. Go ahead, Senator Graham.

Senator GRAHAM. One of the issues in the S&L amendment to the crime bill had to do with the use of specialized strike forces or task forces as the means of prosecution, as opposed to relying on the traditional U.S. district attorneys.

From your experience, do you have any recommendations as to the efficacy for prosecutorial purposes of specialized units versus United States——

Mr. SEIDMAN. I can't really answer that because we're not in that area.

I can only say that in our own efforts for our own responsibilities, we have a specialized force which we've organized.

Senator GRAHAM. One last question—the southwest plan.

In your review of this plan, are you considering any unravelling of transactions that were entered into in 1988, based on fraudulent circumstances?

Mr. SEIDMAN. We are looking at every avenue that the government might legally exercise to reduce the liability under those contracts.

Senator GRAHAM. Including overturning some of the 1988 areas?

Mr. SEIDMAN. If there were a legal basis for doing so.

The CHAIRMAN. Thank you.

Senator Heinz.

Senator HEINZ. Thank you, Mr. Chairman.

Mr. Seidman, as you know, a year ago this committee passed as part of the FIRREA bill a provision that would give the government, the FDIC, priority of its claims to recover funds for the taxpayer.

That provision which I authored was a part of FIRREA and went to conference with the House. The House strongly objected to that provision. They objected to putting the taxpayer first.

As part of the crime bill, as you know, the Senate reinforced its interest in that provision. You mentioned the importance of the priority provision on page 19 of your testimony and in your informal remarks. Once again, we have sent it to the House, and as you also mentioned, it is true—the House has once again rejected this provision that has as its basic goal to enable the Federal Government on behalf of the taxpayer to recover its claims first.

Now, the House has once again stiffed the American taxpayer by refusing to adopt that provision as part of their savings and loan crime bill.

Is there any doubt in your mind that this provision will substantially increase the amount of money recovered by the RTC, and at the same time, reduced the cost of the S&L crisis to the American taxpayer?

Mr. SEIDMAN. I have no doubt we support the Senate bill strongly.

Senator HEINZ. Do you have any idea why the House keeps bowing to what I can only describe as special interests, and just puts the interest of the taxpayer in some relegated, secondary position, not once now, but twice?

Mr. SEIDMAN. I can't really answer that question. I don't know what forces are at work.

Senator HEINZ. Well, it seems to this Senator that what's going on is that there are some people, some special interest people in the legal bar who are persuading members of the House that their way of earning their living is more important than the taxpayer being protected.

That's my conclusion. I don't ask you to accept it. But it seems that there's a prima facie case that that is what is going on.

Let me ask you this. With respect to getting the money back, do civil actions to recover funds take less time to pursue than criminal prosecutions?

Mr. SEIDMAN. In general, they do. The burden of proof is not as great.

Senator HEINZ. If that's true, then, should efforts to recover funds precede criminal actions?

Mr. SEIDMAN. Yes, and they do. I mean, I don't know how many times, but most times we bring suit before the criminal actions, although often we coordinate with the Justice Department so that we don't get into each other's way.

Senator HEINZ. Very good. I want to return, if I've got time, Mr. Chairman, briefly to your stated concerns about the bounty hunter provisions, which I have been a very strong proponent of for quite some time, along with some other members of this committee.

In your testimony, on pages 14 and 15, you state that civil claims to recover funds from officers, directors and others are pursued in half of all cases involving insolvent institutions.

You also note that the FDIC and the RTC won't pursue claims where the cost of litigation exceeds the potential recovery.

Now, the RTC and the FDIC use outside counsel to file lawsuits. And indeed, according to your testimony, approximately 150 law firms are used to pursue these claims.

What proportion of total recoveries are eaten up by legal fees?

Mr. SEIDMAN. I think it runs in the area of 25 to 30 percent.

Senator HEINZ. Twenty-five to 30 percent. Now, has the FDIC or the RTC ever hired an attorney to pursue these kinds of claims, on a contingent basis?

Have you ever tried that?

Mr. SEIDMAN. We've examined that, but I don't believe we've ever done that.

Senator HEINZ. Why not? Why haven't you tried it once?

Mr. SEIDMAN. Well, I think the reason that we've hesitated is that we lose control of how the attorney behaves under those conditions because he is responsible totally for the suit, and whatever he does, and he's doing it in the government's name, and that raises some questions that I think need to be carefully examined.

Senator HEINZ. Well, the legislation provides for careful supervision of contingent fee litigators. It just seems to me that if the FDIC and the RTC are not pursuing 50 percent of the claims because of high litigation costs, why shouldn't lawyers on a contingent fee basis be permitted to bring these cases?

You don't want to pursue them because you think the cost of recovery is going to be outweighed by the legal fees. Why not let the private market make that decision?

Mr. SEIDMAN. We'd be happy to look at the possibility of their bringing cases that we don't want to bring.

Senator HEINZ. Mr. Chairman, thank you.

The CHAIRMAN. Very good.

The committee will stand in recess for about 10 to 12 minutes, while we go and vote. We're finished with Chairman Seidman at this point. We thank you for your testimony.

We'll have the Attorney General here in about 10 minutes and he has agreed to stay until 2:00. So we're going to go straight on through.

The committee stands in recess.

[Whereupon, at 12:30 p.m., the committee was in recess, to reconvene at 12:45 p.m. of the same day.]

AFTERNOON SESSION

OPENING STATEMENT OF CHAIRMAN RIEGLE

The CHAIRMAN. The committee will resume. And let me ask that notification be given to the Attorney General that we're ready to resume and invite him to come on in and join us.

[Pause.]

Let us welcome the Attorney General this afternoon. We know and have explained previously that you had a National Security Council meeting this morning in relationship to the invasion by Iraq into Kuwait. And so we understood the reason for your not being able to be present at the early part of the morning. We went ahead with Chairman Seidman. And you've been very gracious, since arriving, to agree to stay with us until 2 today so that we can go through these issues.

We very much appreciate it.

We have other members that very much want to hear your testimony and have a chance to address questions to you. I know they'll be coming back here in due course.

I'm only going to make a couple of initial comments, and that is to say that we appreciate the job that you and your department are doing, and not just in the area that's here today, but all of the broad responsibilities that you face.

These are complex times and there's a lot of work that has to be done.

Two of the things that I think we're most interested in hearing today—one is we want to know if you feel you have all the resources you need to carry out this work with respect to fraudulent activities that have been reported and referrals have been made in both the savings and loan and banking industries.

As you know, we've moved here to beef up the resources to make sure that everything that you need you have. And I think it's very important we know today whether you feel you have all the resources you want and give us your best assessment as to how things are proceeding. And if more is needed, we'll certainly undertake to get it for you.

Let me also say, yesterday, we had the General Accounting Office testify, as you may know. They indicated that the FBI has a backlog of over 21,000 criminal referrals as yet unaddressed. I don't know whether that conforms with the numbers that you would have or not.

We had a former Justice Department prosecutor in yesterday who, in describing one case to us, said that there were 25 file cabinets' worth of documents in just one case that they were pursuing. They managed to pursue it successfully to both send someone to jail and make a major financial recovery. But it took about 4 years. And they were matched against some of the most talented and high-priced lawyers on the other side of the table that were making the case as difficult as possible for the government to present and win.

So it's obvious that these are very difficult cases. And that ought to be said clearly at the outset.

So we'd like to have a better sense from you as to what the backlog is, what you're working through, and what your latest estimates are of recoveries that you think might be accomplished here.

I'd just finally note that in February 1989, when you testified before us, and that's just about a year-and-a-half ago, your estimate at that time, the losses from fraud in the thrift industry might total $8 to $10 billion. Now, obviously, that was an estimate that was based on the assessment at that time.

I'm wondering a year and a half later whether that still is your best estimate, or has it changed in one degree or another? So we'll be pleased to hear that.

Let me invite Senator Garn and my colleagues to make any brief opening comments and then we want to get right to your statement.

Senator GARN. Mr. Chairman, we are so far behind schedule that I will take none of the Attorney General's time at this time.

The CHAIRMAN. Very good. Senator Dodd?

Senator DODD. I will reiterate that and we'll get right to the Attorney General.

The CHAIRMAN. Very good. I want to indicate, too, that Senator D'Amato was here earlier, left a statement. I want to ask unanimous consent that that be made a part of the record. I also have a statement for the record from Senator Sanford.

[Senators D'Amato and Stanford statements follow:]

OPENING STATEMENT OF SENATOR ALFONSE M. D'AMATO

Senator D'AMATO. Mr. Chairman, today the committee holds the second of 2 hearings on bank and thrift fraud. yesterday, we heard testimony from three witnesses who described the nature of bank and thrift fraud, described the progress the Justice Department has made in investigating fraud cases, and explained some of the practical difficulties in pursuing fraud cases.

Today, with F.D.I.C. Chairman Seidman and Attorney General Thornbugh here, I am sure that we will be able to examine even more closely the role of the regulators in this crisis and the actions that the administration is taking to deal with it.

Fraud is a pernicious and deadly disease. It has put the savings and loan industry into intensive care, and is infecting our banks as well.

Bank and thrift officials are our first line of defense against this disease, but we have found that they are often the carriers of this plague, not its cure. The regulators are supposed to be our doctors, trained and ready to deal with this disease. Maybe they were out playing golf or sleeping on the job, but they didn't prevent the major case of "failure-itis" that we are currently suffering.

Now that the case has progressed to this point, our regulatory agencies and the Justice Department had better uncover the tumors of fraud throughout the industry so we can remove them and get rid of this plague.

There's no doubt that fraud has contributed to the Savings and

Loan debacle. The F.D.I.C. recently stated that insider trading and misconduct contributed significantly to the insolvency of thrifts in about 40 percent of R.T.C.-controlled thrifts. Additionally, the R.T.C. has also stated that civil claims may be pressed against directors, officers, and others for mismanagement in about 55 percent of R.T.C. thrifts and against accountants, attorneys, brokers, appraisers and other professions for malfeasance and misconduct.

Now we are beginning to focus on the fact that fraud is a problem throughout our banks, too. The F.B.I. is currently investigating more that 7,000 fraud and embezzlement cases. Over 3,000 of these investigations involve losses of more than $100,000, and more than 2,000 of these cases are at open banks, not thrifts.

These statistics tell me that we are dealing with an immediate problem in banks, not just a past problem with failed thrifts.

I hope that we handle this problem with the banks better than we did with the thrifts, where fraud may have contributed significantly to S&L failures and taxpayer losses.

Fortunately, we have begun to address this problem, but the administration and Congress must continue to move forward. Up until now, we have provided additional funds and increased the number of examiners and prosecutors. The Senate and House have both passed similar legislation to deter fraud and increase the punishment of persons responsible for fraud. The administration has formed task forces and appointed special counsels to deal with this problem.

Despite these efforts, we must continue to do whatever we can to get rid of this disease before the whole economy is on the doctor's table.

I salute the Chairman for holding these hearings so we can look at this issue and determine what action is necessary.

Thank you, Mr. Chairman.

OPENING STATEMENT OF SENATOR TERRY SANFORD

Senator SANFORD. Thank you Mr. Chairman, and let me also thank our two very distinguished witnesses for being here today to help us better understand the role fraud has played in the Savings and Loan crisis. I want to congratulate you, Chairman Riegle, for holding these hearings on banking and thrift fraud. It is important, I think, that the Banking Committee conduct such an open forum to discuss this disturbing problem. The American people, who are paying for the billion dollar S&L cleanup, deserve an all out effort to catch these crooks, prosecute them, and recover the money they have stolen from the United States. And if the administration is not getting the job done, the people deserve to know why.

Mr. Chairman, we heard yesterday, and will hear again today, that the administration is making strides in the investigation and prosecution of Savings and Loan crooks. This is extremely welcome news. I sincerely hope, however, that these recent improvements will not lull my colleagues in the Senate to sleep. Certainly, we have worked to give the Department of Justice the necessary tools to seek out and punish these criminals. Starting with FIRREA last year and continuing through the fraud amendments to the Omnibus Crime Bill passed in the Senate several weeks ago, we have provided the increased powers and resources the administration needed to make an all out attack on fraudulent S&L operators. These steps to represent a strong beginning, and it is now time for the administration to act.

But our work in the Senate is not done. It is, in fact, pressure from Congress which prompted administration action. Yesterday, Richard Fogel from GAO suggested to this committee that the most important action Congress can take is to simply keep pushing the Department of Justice. I want to serve notice today that this is exactly what I intend to do, and I urge my colleagues here on the Banking Committee and in the Senate at large to join me in this pursuit. We simply cannot rest in the shadow of a $500 billion bailout and expect others to do the dirty work.

Today we are privileged to hear from Attorney General Dick Thornburgh and the Chairman of the FDIC, Bill Seidman. I am sure that both of these highly distinguished witnesses will be able to give us a great deal of insight into the nature of the fraud problem and the steps being taken to correct it. I hope all of my colleagues here on the Banking Committee will treat their testimony with the urgency it deserves. The Senate has a responsibility to act, and these two gentlemen are uniquely qualified to help direct us in our action.

In closing, let me add that while I do not want to minimize the problem of fraud and crime in the S&L's, I do realize that it is just one part of the very complex problems which led to the Savings and Loan crisis. It is also very important that this committee continue to examine the underlying structural defects which contributed to this debacle and work to correct those problems. As important as eliminating the fraud problem is, it is not the long-term, final solution to the failings in the financial services industry.

I know we can expect candor from both of these very important witness this morning. I look forward to hearing their testimony and the question and answer period which will follow.

Thank you, Mr. Chairman.

The **CHAIRMAN**. Senator Bond.

Senator **BOND**. Thank you, Mr. Chairman.

Very briefly, I want to commend the Attorney General for establishing a special counsel, putting Mr. Richmond in that position. We had discussed that, following a letter that I sent in April 1989.

I think it's a good idea. We had some questions from Mr. Maffeo yesterday about how that office is working to coordinate both the civil and the criminal proceedings. We also will want to get from you some indication on how the commission that Senator Dodd and I have sponsored and the Chairman is a cosponsor, we hope may be able to move—we may be able to get it through before the recess. Very briefly, at the end, we may touch on with you any concerns you have on that, so we can get that operation underway and get a report back to the people of the United States and Congress before we get into some heavy-duty work on deposit insurance and financial institution structure next year.

Thank you, Mr. Chairman.

The **CHAIRMAN**. Senator Kerry.

Senator **KERRY**. Mr. Chairman, I welcome the Attorney General.

I do not have any opening. I made my opening earlier, so I'll just hold off.

The **Chairman**. Let me just add one other thing, Mr. Attorney General. And that is, earlier today, we made reference to a report in the Los Angeles Times. The lead paragraph is as follows:

> The FBI has launched a major investigation into allegations of political favoritism and influence-peddling in connection with the government's sale to private investors of dozens of insolvent savings and loans in Texas, knowledgeable sources said Wednesday.

Now, we all know knowledgeable sources can mean somebody or nobody sometimes. But, in any event, with this report out there, I think we need to have you give us some indication as to whether or not this is accurate or what may be going on in this area or tell us whatever you can with respect to this news item.

So with that, let me invite you—we'll make your full statement a part of the record, and we'd like to hear your comments at this time.

STATEMENT OF RICHARD THORNBURGH, ATTORNEY GENERAL OF THE U.S., DEPARTMENT OF JUSTICE, WASHINGTON, DC

Mr. **Thornburgh**. Thank you, Mr. Chairman, and members of the committee.

I am pleased to appear today to report to you on the progress being made by the Department of Justice in fighting fraud against financial institutions.

As you know, the President recently announced additional administration initiatives designed to intensify the effort to pursue those who have looted federally-insured financial institutions for their own selfish purposes.

I was pleased that much of the President's package was incorporated by amendment to the crime bill passed by the Senate, S. 1970, 3 weeks ago, and by the House just 2 days ago, H.R. 5401.

We truly appreciate the cooperative efforts of this committee in helping us build constructive weapons to utilize against savings and loan fraud.

I'd like to focus today on the Bush administration's record in this area, an object of considerable attention of late, as well as some legislative issues.

Immediately following my confirmation as Attorney General, in August, 1988, I undertook a full and comprehensive review of our efforts in the white collar crime area. During the course of that review, and as a result of consultations with the U.S. Attorney in Dallas, those involved with the Dallas bank fraud task force, and officials of the FBI involved in investigations of the savings and loan industry, it became apparent that we were woefully understaffed in this area.

Following meetings with the Inter-Agency Bank Fraud Enforcement Working Group, I directed that plans be prepared to commit the resources necessary to nearly double the number of investigators, prosecutors and support personnel devoted to rooting out criminality involved in the savings and loan collapse.

President Bush presented our request for additional resources to the Congress in February, 1989, within 3 weeks of his inauguration, as part of his overall plan to address the savings and loan problem. His request sought a $50 million increase in fiscal year 1990 appropriations to investigate and prosecute savings and loan fraud.

When I testified on February 9, 1989, before this committee in support of his request, I underscored the gravity of the problem and expressed my view that existing investigative and prosecutive resources have not been sufficient to address all the serious criminality called to the attention of the Department of Justice.

Using available resources, our investigators and prosecutors had already vastly increased their efforts during 1989, and by the time we received our 1990 request in December of last year, we were able to announce our plans to staff task forces in a total of 27 cities across the nation, where our study and review had indicated they were most needed.

The base upon which these task force efforts are building is substantial. From October 1, 1988, to date, for example, our efforts have resulted in the indictment of 328 defendants, the conviction of 231 persons, and a total of $57 million ordered in restitution in major—that is to say, cases involving fraud losses over $100,000 or involving officers, directors or shareholders—in the savings and loan area.

Only five persons have been aquitted of criminal charges during that period and over three-quarters (78 percent) of those sentenced have received prison terms.

A further word is in order concerning the Dallas bank fraud task force to which I previously referred, since it is the model for our expanded efforts.

Established in August, 1987, because of the intense concentration of thrift fraud cases in the Dallas area, it has since brought charges against a total of 80 defendants, secured 56 convictions, and again, three-quarters of those sentenced have received prison terms, terms running as high as 30 years in the case of the former chief executive officer of Vernon Savings and Loan.

In addition, restitution of over $11.5 million has been ordered.

These are, as you have indicated, unusually difficult cases to successfully puruse. They are not shelf items or one-size-fits-all investigations and prosecutions. They are not normally achieved by utilizing search warrants, breaking down the door, seizing the evidence, and leading the defendant away in handcuffs.

On the contrary, these investigations most often involve complicated papertrails leading to highly sophisticated schemes which disguise illegality under the veneer of legitimate business and financial transactions.

They typically involve extraordinarily complex transactions which must be thoroughly investigated before even a threshold determination that a crime has been committed can be made.

Thousands of documents must be examined. Hundreds of witnesses must be interviewed and reinterviewed. Time-consuming grand jury investigation is almost always necessary to obtain essential documentary evidence and witness testimony.

Complex and protracted multi-week criminal trials requiring prosecutors and investigators to expend literally thousands of hours and infinite patience are standard procedure.

The FBI estimates that as long as 4 years can be consumed in just one of these matters.

For the vastly expanded workload resulting from the exposure of financial institution fraud failures in the 1980's, we recognize that it is doubly important for our law enforcement efforts to be properly prioritized and carefully targeted, so as to maximize the impact of successful prosecutions.

To that end, while we were still in the process of staffing up our increased efforts this spring, I met with Tim Ryan, director of the Office of Thrift Supervision, the day after he assumed office to map out a joint effort between the regulatory agencies and the Department of Justice to winnow through the mass of referrals that had already been made to ensure that we were focusing upon the most significant cases as our first priority.

As a result, Federal regulators have now identified a hundred institutions which will receive our priority attention. To date, we have indicted 51 individuals from these institutions and we've convicted 39 of those.

Since multiple indictments may flow from each institution, we cannot today identify them specifically for you at this stage of our investigations. The effort is being supervised and monitored by Jim Richmond, the United States Attorney for the Northern District of Indiana, and former chairman of the Attorney General's Advisory Committee of U.S. Attorneys.

He serves full time as Special Counsel for Financial Institutions, reporting directly to the Deputy Attorney General. Mr. Richmond's sole responsibility as the Special Counsel is to coordinate all matters concerning the investigation and prosecution of financial institution fraud.

Additionally, he will insure that our resources continue to be properly allocated to the most significant financial institution fraud cases. I have also directed the establishment of a financial fraud coordinating unit with the Deputy Attorney General's office to support the Special Counsel's efforts.

The Secretary of the Treasury and I also have established an interagency group of senior officials to continue prioritizing the significant savings and loans allegations, and a rapid response team to concentrate immediate and joint enforcement efforts.

In addition, our cooperative efforts with the regulatory agencies have demonstrated the potential for significant monetary recoveries as well. However, I must remind you, as I did early last year, that there is reason to doubt that recoveries will ever recoup a significant amount of the losses sustained by financial institutions.

By the time we or the regulatory agencies are able to assert civil claims, seek restitution, or forfeiture of assets, those assets have frequently been dissipated due to declining real estate values, overzealous spending habits, or fraudulent transfers intended to conceal assets.

When I first appeared before this Committee last year to discuss the S&L collapse, Senator Bob Graham asked, "What would you like us to use as the report card, the standard of your success or failure?"

I responded then, first, that we had provided the Dallas task force with the resources needed to handle its work. Second, that we had replicated the Dallas task force in other areas of need. Third, that a substantial number of those involved in these criminal activities had been prosecuted and convicted, and that substantial sentences had been imposed upon them. Fourth, that using the civil fine mechanisms, civil actions to recover and/or forfeit assets had returned a significant amount to those wronged by illicit activities. And finally, that the public had been reassured that a much higher level of deterrence had been built into our criminal justice system to avoid a repetition of the past.

I believe we've made substantial progress in each of those areas, as I've tried to point out to you today.

As for the legislative response to the President's additional initiatives designed to intensify this effort, we appreciate the cooperative, bipartisan efforts of the Senate (in particular, Senator Heinz, Senator Gore, and Senator Wirth), and of the House, in building further constructive weapons to utilize against savings and loan fraud.

I'd like to take a minute to discuss the legislation so that the Department's concerns will be capable of being considered during future conference committee hearings.

First, I'd like to thank the members of this committee for working with us to fashion a workable alternative to the amendment initially introduced by Senators Wirth and Graham. In the Special Counsel, we believe we have established an effective system of accountability and we think the changes made in the amendment just adopted are constructive.

I'd also like to thank Senator Roth for working with Senators Simon and Dixon, and with us to forge a compromise on his Qui Tam provision.

I believe that the product of our efforts will enable us to fulfill our responsibility, while also utilizing information and expertise from the private sector.

The key provision of the President's package, which we were pleased to see contained in the bills adopted by both the Senate and the House, would allow the Department of Justice to accept the assistance of trained, experienced personnel from elsewhere in the Executive Branch. This provision would enable us to utilize, for example, the expertise of the IRS and the Secret Service in pursuing financial fraud cases.

The issue of how best to enlist the aid of the Secret Service in the fight against financial institution fraud has been a difficult one to resolve. I am pleased to say, however, that due to a considerable show of cooperation among all parties concerned, including the FBI and the Secret Service, a compromise has been reached which will allow the full use of all available Secret Service personnel in the fight against savings and loan wrongdoers.

The Department supports the DeConcini amendment to the Senate Treasury appropriations bill which allows the Attorney General to accept and the Secret Service to offer agents to assist the investigative effort under our supervision. This provision will grant to the Secret Service the same investigative authority as the FBI with regard to financial institution fraud.

The Secret Service may conduct any kind of investigation, civil or criminal, which United States law enforcement personnel are authorized to conduct subject to the supervision of the Attorney General.

We've stated our opposition to the National Commission on Financial Institution Reform, Recovery, and Enforcement contained in the House bill. Apart from the constitutional problems brought about by the hybrid nature of this commission's membership, we think parallel investigations of savings and loan fraud, in which the same witnesses are sought and the same issues investigated, raise potential dangers.

As I think I've demonstrated, we have been very active and aggressive in pursuing financial institution fraud. It would serve little benefit for a commission to track or overlap our law enforcement activities.

We think the oversight process in the House and Senate Banking and Judiciary Committees is sufficient to assess our progress and we would hope that the committee agrees.

White collar crime, or "crime in the suites," as some call it, is, and always has been, one of my top priorities as Attorney General.

We pledge to you, and to the American public, a relentless effort to continue to prosecute those responsible for financial institution fraud, and to pursue the assets which they have stolen from the taxpayers of this country and the institutions which they have subverted and suborned.

Thank you, Mr. Chairman. I will be pleased to try to respond to any questions you or other members may have.

[The complete prepared statement of Richard Thornburgh follows:]

Department of Justice

STATEMENT

OF

DICK THORNBURGH
ATTORNEY GENERAL

BEFORE THE

UNITED STATES SENATE
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

CONCERNING

COMBATTING FRAUD AGAINST FINANCIAL INSTITUTIONS

ON

AUGUST 2, 1990

Mr. Chairman and Members of the Committee, I am pleased to be here today to report to you on the progress being made by the Department of Justice in fighting fraud against financial institutions, and specifically the problems in the savings and loan industry over the last decade. As you may remember, I was last before this Committee on February 9, 1989. At that time, I outlined to you the areas where, in the coming 24 months, I hoped to be able to indicate that progress had been made in the fight against financial institution fraud. Now, almost 18 months later, I am here to report that, while the final exam hasn't yet been administered, the preliminary report card shows substantial promise.

As you know, in June the President announced additional administration initiatives designed to intensify the effort to bring to justice those who have looted federally insured financial institutions for their own selfish purposes. Today I will briefly outline these initiatives and highlight the Department's progress over the past months including some recent accomplishments. Lastly, I will summarize our views on a number of legislative proposals now pending before Congress.

First, let there be no doubt that the Department of Justice is fully committed to using every civil and criminal enforcement tool and resource at our disposal to recover assets diverted from these institutions, and to place behind bars those who have caused losses through criminal behavior. Those who have taken advantage of the public trust in financial institutions should be on notice that we will seek them out, pursue them relentlessly, and demand the most severe penalties.

Let me briefly summarize our initiatives to date in this important area. Immediately following my confirmation as Attorney General in August, 1988, I undertook a full and comprehensive review of our efforts in the white collar crime area. During the course of that review, and as a result of consultations with the United States Attorney in Dallas, those involved with the Dallas Bank Fraud Task Force, and officials of the Federal Bureau of Investigation (FBI) involved in investigations of the savings and loan industry, it became apparent that we were woefully understaffed in this area. Following meetings with the Interagency Bank Fraud Enforcement Working Group, I directed that plans be prepared to commit the resources necessary to nearly double the number of investigators, prosecutors and support personnel devoted to rooting out criminality in the savings and loan industry.

President Bush presented our request for additional resources to the Congress in February, 1989, within three weeks of his inauguration, as part of his overall plan to address the savings and loan problem. His request sought a $50 million increase in appropriations to investigate and prosecute savings and loan fraud. In my testimony in February, 1989, before this Committee in support of this request, I noted the gravity of the problem and expressed my view that "existing investigative and prosecutive resources have not been sufficient to address all the serious criminality called to the attention of the Department of Justice."

Using available resources, our investigators and prosecutors, vastly increased their efforts during 1989, and, by December of last year, we were able to announce our plans to use the $50 million increase in appropriations, which was enacted late in 1989, as part of an effort to deploy 148 additional federal prosecutors[1], 202 additional FBI agents[2] and 100 additional support personnel to staff task forces in a total of 27 cities across the nation where our study and review had indicated these additional resources were most needed.

The base upon which these task force efforts is building is substantial. From October 1, 1988 to date, for example, our efforts have resulted in the indictment of over 304 defendants, the conviction of more than 211 persons and a total of $56.6 million ordered in restitution in major (i.e., involving fraud losses of over $100,000, officers, directors or owners (including shareholders), or the scheme involved convictions of multiple borrowers from the same savings and loan) savings and loan fraud cases. Only five persons have been acquitted of criminal charges during this period and over three-quarters (78%) of those sentenced have received prison terms. The Task Force concept uses the combined resources of the United States Attorneys' office, the Criminal and Tax Divisions of the Department of Justice, the FBI, the Internal Revenue Service (IRS) and various financial institution regulatory agencies, including the FDIC and OTS, in a team effort to pinpoint, investigate and prosecute serious fraud allegations.

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[1] Including 118 AUSAs, 24 Criminal Division Fraud Section attorneys, and 6 Tax Division attorneys.

[2] Only 153 positions were supported by FIRREA funding, the additional 49 agents were allocated from FBI base resources.

A word is in order concerning the Dallas Bank Fraud Task Force, to which I have previously referred, since it is the model for our expanded efforts. Established in August, 1987, because of the intense concentration of thrift fraud cases in that area, it has brought charges against a total of 80 defendants and secured 56 convictions to date. Three quarters of those sentenced have received prison terms, running as high as 30 years in the case of the former chief executive officer of Vernon Savings & Loan. In addition, restitution of over $11.5 million has been ordered. The Department has every reason to believe that these successes will, in time, be duplicated by the 26 other task forces across the Nation.

These are, as I am sure you recognize, difficult cases to pursue successfully. They are not "shelf items" or "one size fits all" investigations and prosecutions. They are not normally made by utilizing search warrants, breaking down the door, seizing the evidence and leading the defendant away in handcuffs. These investigations most often require following complicated paper trails to unravel highly sophisticated schemes designed to disguise illegality under the veneer of legitimate business and financial transactions. They typically involve extraordinarily complex transactions, which must be thoroughly investigated before even a threshold determination that a crime has been committed can be made. Thousands of documents must be examined. Hundreds of witnesses must be interviewed and re-interviewed. Time consuming grand jury investigation is almost always necessary to obtain essential documentary evidence and witness testimony. Complex and protracted, multi-week criminal trials, requiring prosecutors and investigators literally to expend thousands of hours and infinite patience, are commonplace. The FBI estimates that as long as four years can be consumed in just one of these matters and teams of skilled agents and experienced prosecutors are required to do the job.

In addition, it is worth noting that the Department's efforts to investigate and prosecute financial institution fraud apply not only to savings and loan fraud but also to bank fraud and, to a lesser extent, credit union fraud. While the level of fraud in the commercial banking industry does not as yet approach the level of fraud in the savings and loan industry, bank fraud is in fact an area of continuing concern to the Department.

With the vastly expanded workload resulting from the explosion of financial institution failures in the 1980s, we recognize that it is doubly important for our law enforcement efforts to be properly prioritized and carefully targeted to maximize the impact of successful prosecutions. To that end, while we were in the process of staffing our increased efforts this spring, I met with T. Timothy Ryan, Jr., Director of the Office of Thrift Supervision (OTS), the day after he assumed office. Together, we mapped out a joint effort to winnow through the mass of existing referrals to ensure that we were focusing upon the most significant cases as our first priority.

As a result, federal regulators have now identified 100 institutions which they believe merit attention. We are reviewing this list and will recommend prosecution we deem appropriate. To date, we have indicted 51 individuals from these institutions, and we have convicted 39. Since multiple indictments may flow from each institution, we cannot identify them specifically for you at this stage of our investigations.

This effort is being supervised and monitored by James G. Richmond, the U.S. Attorney for the Northern District of Indiana and Chairman of the Attorney General's Advisory Committee of U.S. Attorneys, who will serve full-time as Special Counsel for Financial Institutions, reporting directly to the Deputy Attorney General. Mr. Richmond's sole responsibility as the Special Counsel is to coordinate all matters concerning the investigation and prosecution of financial institution fraud. Additionally, he will ensure that resources are properly allocated to the most significant financial institution fraud cases. I also have directed the establishment of a Financial Fraud Coordinating Unit within the Deputy Attorney General's office to support the Special Counsel's efforts.

The Secretary of the Treasury and I also have established an interagency group of senior officials from the Department of Justice, Department of Treasury, FBI, OTS, Federal Deposit Insurance Corporation (FDIC), Office of the Comptroller of the Currency (OCC), Board of Governors of the Federal Reserve System, Resolution Trust Corporation (RTC), the National Credit Union Administration, and the Attorney General's Advisory Committee of United States Attorneys. This group will continue to prioritize the significant savings and loan allegations to be investigated and, where appropriate, prosecuted. Chaired by the Special Counsel, this group enhances interagency coordination and assists in accelerating the investigation and prosecution of these financial institution fraud allegations.

To further assist in this effort, the Secretary of the Treasury and I have directed the creation of "rapid response teams" of specialized attorneys and auditors drawn from the Department's Civil and Criminal Divisions, the OTS, the OCC, the FDIC and the RTC to concentrate immediate and joint enforcement efforts on selected financial institutions victimized by potentially criminal activity. Upon short notification, the rapid response teams can take all appropriate action to preserve the assets of an institution, protect vital documents and records, and augment the existing investigative personnel and prosecutive resources in a given area.

The resources of other agencies are also being brought to bear on this problem. The RTC has established an Office of Investigations and a national network of investigative teams. Approximately 300 new investigative staff will be added by the end of this year. The IRS will continue to prosecute aggressively individuals who commit tax fraud involving failed financial institutions. The OTS has recently opened a new regional enforcement office in Jersey City, New Jersey, in order to enhance its enforcement capabilities, and intends to open at least two additional regional enforcement offices before the end of 1990.

Very promising efforts to cooperate with OTS, the FDIC, the RTC, and other financial institution regulatory agencies to maximize the recovery of assets are also well underway. Under this arrangement, the agencies and the Department's Civil Division will allocate responsibility for bringing civil actions based on the most effective and efficient division of labor and the most appropriate use of the array of available civil remedies. This will enable us to bring actions which will maximize recovery with the least possible cost to the taxpayer.

The Department also recently established a civil subcommittee to the Interagency Bank Fraud Working Group. In addition to the allocation of the case handling responsibility discussed above, the subcommittee is working to improve coordination between the agencies concerning, for example, the exchange of information, identification of recoverable assets and pre-filing notice of litigation.

We are moving ahead to identify, investigate and file actions. As we sit here today, attorneys are working on potential civil penalty actions. More attorneys will be added to this effort as necessary. In addition, our cooperative efforts with the regulatory agencies have demonstrated potential for producing scores of cases and significant monetary recoveries.

Criminal prosecutions are also benefitting from excellent teamwork involving the Dallas Bank Fraud Task Force, the OTS, the FBI, the IRS, the United States Attorney's Office for the

Northern District of Texas and the Fraud Section of the Department's Criminal Division. One recent example of our joint efforts is a seventeen-count indictment against Edwin T. McBirney which was returned by a grand jury for the Northern District of Texas, on July 20, 1990. Mr. McBirney is charged with fraud in connection with his activities performed while President and Chief Executive Officer of Sunbelt Savings. If convicted on all counts, Mr. McBirney would face up to 85 years' imprisonment and a fine of up to $4.25 million.

While the Department is encouraged daily by such prosecutorial successes and will continue during the remainder of the decade to prosecute such white collar criminals, I must remind the Committee that there is ample reason to doubt that recoveries will ever recoup the losses sustained by financial institutions. The primary reason for this is that restitution cannot be ordered until a conviction has been obtained, which, as I have just explained, can take up to four years. By that time, the assets of the convicted wrongdoer have frequently been depleted, due to declining real estate values, overzealous spending habits, or fraudulent transfers intended to conceal assets. As a result, there is no mechanism available to calculate the amount of money that taxpayers can expect the Federal Government to recover through civil and criminal enforcement proceedings.

White collar crime -- "crime in the suites" -- remains a high priority for the Department of Justice. In addition, we are sensitive to the extraordinary level of public concern over the conduct of savings and loan rip-off artists during the 1980s. Because of this, we have pledged to Congress and to the American people a continued effort to prosecute those responsible and pursue the assets which they have purloined from the institutions which they have subverted and suborned. We are confident that our efforts to bring to justice substantial numbers of those involved in criminal wrongdoing and to impose serious sentences upon them, as in the case involving the former chief executive officer of Vernon Savings and Loan Association, who received a thirty year prison sentence, will reassure the public that past wrongdoers will be punished. In addition, it is our hope that aggressive prosecution of financial institution fraud will provide a more adequate deterrent for this type of fraud in the future.

Current Legislative Initiatives

In order to improve our ability to combat fraud and enhance recoveries, Mr. Chairman, as you know, the Administration strongly supports a package of legislative proposals sponsored by Senators Bob Dole, John Heinz, Jake Garn, and Tim Wirth which address financial institution fraud. The proposed legislation supported by the Administration would:

- Establish within the Office of the Deputy Attorney General a new Financial Institutions Fraud Unit (FIFU) to be headed by a Special Counsel for Financial Institutions Fraud in order to strengthen coordination of the fight against financial institution fraud. The Financial Institutions Fraud Unit and the Special Counsel will be responsible to, and report directly to, the Deputy Attorney General.

- The primary responsibilities of the Special Counsel will be to (1) supervise and coordinate investigations and prosecutions within the Department of Justice and other criminal activity in and against the financial services industry; (2) ensure that Federal statutes relating to civil enforcement, asset seizure and forfeiture, money laundering, and racketeering are used to the fullest extent authorized by law to recover the proceeds of unlawful activities from persons who have committed crimes in and against the financial services industry; and (3) ensure that adequate resources are made available for the investigation and prosecution of fraud and other criminal activity in and against the financial services industry.

- The legislation also directs the Attorney General to establish the following two groups:

(1) Financial Institutions Fraud Task Forces -- To ensure that adequate resources are made available to recover the proceeds of unlawful activities from persons who have committed fraud or other criminal activities. And, (2) a Senior Interagency Group -- To assist in identifying the most significant savings and loan bank fraud cases and in focusing investigative resources where they are most needed. This group will be chaired by the Assistant Attorney General for the Criminal Division and includes senior officials from numerous agencies such as the Department of Justice, the FBI, the Department of Treasury, the OTS, the RTC, the FDIC, the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the National Credit Union Administration, and the Attorney General's Advisory Committee of the United States Attorneys.

Mobilize government-wide resources by enabling the Department of Justice to use, without reimbursement, skilled attorneys, investigators, accountants and personnel from appropriate federal agencies to assist in investigations and prosecutions of financial institution fraud.

Allow prosecutors to seek court-authorized wiretaps to investigate ongoing bank fraud, false statements to financial institutions, bribery of bank officials and related offenses for which wiretap authority is not presently available.

- Provide priority consideration by the courts for FDIC and RTC cases and establish procedures for expedited appeals of these cases.

- Protect taxpayers by authorizing the FDIC, the RTC, and the OTS to seek court orders to freeze the corporate and personal assets of defendants and respondents in financial institution civil fraud cases.

- Give priority to claims of the Federal Government over those of other creditors in bankruptcy or other claimants in actions against parties responsible for losses due to financial institution fraud.

- Protect victims of fraud by authorizing courts to order payment of restitution to all victims of financial institution fraud schemes even where they were not specifically identified as victims in the charges underlying the conviction.

- Protect victims of fraud by prohibiting the use of bankruptcy by perpetrators of financial institution fraud to avoid damages, penalties, and forfeitures by perpetrators of financial institution fraud.

- Permit the seizure of assets and property in mail fraud and wire fraud prosecutions involving a financial institution.
- Authorize federal banking agencies to receive assistance from, and provide assistance to, foreign banking authorities to detect violations of banking law and regulations.
- Permit the subpoena authority of the FDIC and the RTC to apply to failed, as well as operating, financial institutions.
- Allow the RTC and FDIC to undo fraudulent conveyances dating back five years.
- In addition, it would be a criminal offense to conceal assets that are subject to a claim by a federal banking agency.

These new measures will be especially effective when combined with existing authority granted in FIRREA. As you know, FIRREA, enacted in August 1989, authorized a number of expanded enforcement powers, increased penalties, extended the statute of limitations for criminal actions, and made other procedural improvements to facilitate financial institution investigations and prosecutions. For example, the Justice Department was authorized to assess and collect civil penalties for violations of specified bank criminal statutes (e.g., involving bank fraud). In addition, the Justice Department was permitted to institute civil and/or criminal forfeiture proceedings in certain financial institution cases.

Proposed Qui Tam Provisions

As many members of this Committee are aware, the Department worked with Senators Simon and Dixon to develop a substitute for their proposed amendment to S. 1970 which would have permitted *qui tam* actions against financial institutions. This substitute, as approved by the Senate, will avoid unnecessary, expensive, and counterproductive *qui tam* actions that could have reduced, rather than increased, the size of the Government's ultimate recovery.

The substitute we agreed upon after tough but productive negotiations creates a mechanism for private citizens to file declarations of violations of law relating to fraud with respect to insured depository institutions. These declarations will contain specific factual allegations constituting a prima facie case of the violation of law. Our hope is to encourage private citizens to help the Department of Justice and the federal banking agencies put together civil and criminal cases against individuals and institutions involved in the savings and loan scandal.

We believe the substitute provides such encouragement by offering these private citizens (whom we call "declarants") substantial rights -- first, a lump sum payment of $10,000 to $250,000 where the information they provide is relied upon in securing a criminal conviction; second, awards up to $1,600,000 based upon a percentage of any recovery by the United States attributable to their declarations; and third, the ability to choose counsel to pursue such a case, subject to Departmental supervision, if we determine that outside counsel could best conduct the litigation. Our supervised use of private counsel in such actions provides us with substantial additional resources without interfering with ongoing investigations or the broader enforcement efforts of the Department and the banking agencies. Declarants also have the right to be notified of actions taken and results obtained as a result of their declarations.

The substitute creates a similar declaration procedure for S&L fraud cases that the United States has already brought to judgment, permitting private citizens to identify specific assets which might be recovered by the United States in satisfaction of the judgment. This combines the resources of the Government and the private sector effectively, under the control and ultimate responsibility of the Attorney General, to ensure that civil penalties, criminal fines, and orders of restitution are satisfied to the fullest possible extent.

An important element of this system is accountability. We are able to ensure not only that the Government has access to the best information available on savings and loan fraud but also that the Government is made accountable for the use or nonuse of this information.

I think the declaration system that the Senate added will aid our efforts to prosecute fraud and to recover assets on behalf of the taxpayer. Senators Simon and Dixon and their staffs deserve a great deal of credit for the positive results of our negotiations.

National Commission on Financial Institution Reform, Recovery and Enforcement

The proposal in H.R. 5401, passed by the House earlier this week which creates a National Commission on Financial Institution Reform, Recovery and Enforcement ("the Commission") has generated interest from some on this Committee, but raises significant concerns for the Department of Justice. The Commission, created by title F of H.R. 5401 would: (1) recommend methods for improving interagency cooperation in the investigation and prosecution of financial crimes; (2) investigate and develop recommendations for law enforcement officers for the successful investigation and prosecution of financial crimes; (3) investigate the causes of fraud and abuse in the financial services industry; and (4) recommend any other legislative or administrative actions that the Commission determines to be necessary or appropriate. The Commission would be composed of nine members: five persons appointed by the President; two members of the House of Representatives, appointed by the Speaker; and two members of the Senate, appointed by the President pro tempore.

In view of the steps that the Administration has taken, and is taking, to coordinate the investigation and prosecution of financial institutions offenses, we believe that the proposed Commission would be counterproductive. In our view, such a Commission would not -- indeed could not -- make any meaningful contribution to the fight against financial institution fraud but in fact, almost certainly would interfere in the continuing aggressive investigation and prosecution of financial institution malefactors.

In addition, we believe that the establishment of a hybrid commission, not clearly a part of the Legislative, Judicial or Executive branches, even if it is merely advisory, is inconsistent with the tripartite federal system of government designed by the Framers of our Constitution. The creation of such a commission tends to erode the structural separation of powers. As contemplated by H.R. 5401, the Commission described above could not be considered a part of any of the three Branches and would be in the difficult position of having to serve more than one master. Although the Branches of government are not "hermetically sealed" from one another, Immigration and Naturalization Service v. Chadha, 462 U.S. 919 (1983), the principle of separation of powers suggests that each Branch maintain its separate identity, and that functions be clearly assigned among the separate Branches. The proposed Commission does not mesh with this constitutional structure.

Expanding the Authority of the Secret Service

Another provision in H.R. 5401, which would amend 18 U.S.C. 3056 to expand the investigatory jurisdiction of the United States Secret Service, is of considerable concern to the Department. The issue of how to best enlist the aid of the Secret Service in the fight against financial institution fraud has been a difficult one to resolve. I am happy to say, however, that due to a considerable degree of cooperation among all parties concerned, including the FBI and the Secret Service, a compromise has been reached which will allow the full use of all available secret service personnel in the fight against savings and loan wrongdoers.

The Department supports the DeConcini amendment to the Senate Treasury Appropriations bill, H.R. 5241, which allows the Attorney General to accept, and the Secret Service to offer, agents to assist the investigative effort, under my supervision. This provision, the result of a strong show of cooperation between the FBI and the Secret Service, will grant to the Secret Service the same investigative authority as the FBI with regard to financial institution fraud. The Secret Service may conduct any kind of investigation, civil or criminal, which United States law enforcement personnel are authorized to conduct, subject to the supervision of the Attorney General.

This proposal will result in the immediate implementation of a new partnership in an investigative area that is both very time consuming and that requires sophisticated skills. Because the cooperative efforts will be coordinated by a central body, the possibility of overlap between investigative efforts and the risk of prejudice to on-going investigations will be greatly reduced. In addition, this approach maximizes the effectiveness of existing task forces, does not require duplication of support functions and ensures the most effective deployment of resources. In fact, the FBI has already offered, and the Secret Service has accepted, the use of the FBI's specialized financial institution fraud training programs.

For these reasons, the Department does not support the section of H.R. 5401, which, rather than relying on a coordinated approach, would grant outright to the Secret Service the authority to investigate financial institution crimes.

Let me emphasize and repeat that the Department of Justice is committed to employ fully and effectively the resources it has been given to prosecute financial institution fraud and to recover diverted assets for the public whenever that can be done.

Mr. Chairman, that completes my prepared remarks. I would be pleased to respond to your questions at this time.

The CHAIRMAN. Very good. In keeping with our practice, and noting the time that we have, I'm going to ask the other members that have arrived, since you started, if they have a brief opening comment, and then I want to go right to the questions.

So Senator Kerry, did you have a comment that you wanted to make at the outset?

Senator KERRY. No, Mr. Chairman, thank you.

The CHAIRMAN. Senator Sarbanes, did you have a comment?

Senator SARBANES. Mr. Chairman, I'll forego any opening comments so we can proceed to the questioning of the Attorney General.

The CHAIRMAN. Very good. Senator Wirth.

Senator WIRTH. [Nods in the negative.]

The CHAIRMAN. Then we will move right into the questions.

Is it fair to say that everything that you've asked for in the way of either financial resources or legal authorities and changes in law to track down this fraud, that you have been given those resources to work with?

Mr. THORNBURGH. Yes, we have, and we appreciate the cooperation, as I indicated, that's been extended by both Houses, and on a bipartisan basis.

The CHAIRMAN. Is there anything left that you need that we can try to get for you or pledge to get for you beyond the things that you've recounted here today?

Mr. THORNBURGH. I think the resources that have been provided and the new legal tools, both in the FIRREA statute and in the legislation that's under consideration now, will enable us to make a much greater impact upon the area of savings and loan fraud. But I won't hesitate to come back, as I indicated last year, if we find that other tools or more resources are needed and can be properly used.

The CHAIRMAN. I appreciate that. And so, also, I gather, then, you're saying that as of today, the things you feel you need, you have or we have provided, and that you've got no further request to make at this time.

Mr. THORNBURGH. That's correct.

The CHAIRMAN. Now, can you tell us, is this Los Angeles Times story that I cited earlier that apparently had run today, is this story accurate?

Mr. THORNBURGH. Obviously, I can't discuss any matters that are presently under investigation, so I have to decline to comment on news accounts, whatever authoritative sources they may purport to be from.

The CHAIRMAN. Well, let me ask it a little differently.

I don't want to get into individual cases, and so, I don't want to be misunderstood in terms of the question that I'm posing.

The issue that they have asserted here is that a major investigative effort is underway with respect to whether or not there was improper activity in the sale of several of these thrift institutions in Texas.

Without getting into individual cases, is it accurate that the Department is looking at that issue and pursuing that issue?

Mr. THORNBURGH. Let me respond this way, if I might, Mr. Chairman. Any allegations of wrong-doing that relate to past or present conduct will be vigorously pursued by the Department, the FBI, the U.S. attorneys, and other enforcement agencies.

The CHAIRMAN. I think this account—we're always dubious when there's not an attributable source. And this is attributed to a "knowledgeable source."

But I noticed, and I'm sure you did, too, that Mr. Robeson at the Treasury Department, who is a very measured and senior government official, made a comment a day or two ago that—I think he used the word "volcanic" or something like that in describing the implications of inquiry into this area. And it certainly had the ring of something underway that would seem to deliver the same message as this news story.

So can we at this point assume that if, in fact, major work is going on in this area, that at some point, the Department would so indicate without getting into cases? In other words, would we be likely to get some kind of a statement out of the Department, or would it be likely that you would just not want to comment at any point until you were ready to bring an action, if you did, against a given situation?

Mr. THORNBURGH. Volcanic or otherwise, Mr. Chairman, we're in the law enforcement business. Our job is to present evidence, in open court, of violations of law. And our practice is not to comment on pending matters, except in extraordinary cases for extraordinary reasons.

So I think it's unlikely that we would have any comment on pending investigations until they come to fruition.

The CHAIRMAN. Now, with respect to how these investigations take place, not just in this area, but broadly speaking, the hearing that we had yesterday raised this very important and relevant question about civil suits going down one track to try to effect financial recovery and criminal suits going down a different track to try to bring to justice people that had broken the law and so forth.

Very often, you have to make a judgment—not just you, but everyone that's involved—in terms of do we go one track or the other? And sometimes, one cuts against the other.

And so, when you've got so many cases that are there to be looked at and decisions are to be made, can you tell us something about the degree of coordination that is needed and is in place?

And I must tell you that there's a general concern that because of the enormous scope of this problem, that coordination is very, very difficult under the best of circumstances. But how is that working right now?

We had Mr. Seidman here before. How often do meetings take place? Who decides which track they're going to go down? And how is that being handled?

Mr. THORNBURGH. There has been in existence for some years an Inter-Agency Bank Fraud Working Group that includes all of the persons involved in both criminal and civil litigation, as well as administrative concerns that group.

Was supplemented this year with the creation of Mr. Richmond's office which was designed to coordinate, on a working level, the handling of both criminal and civil litigation.

Criminal cases, of course, represent the highest priority of the Department of Justice, because our charge is to see that the laws are observed and, if breached, that enforcement actions take place.

Nonetheless, following criminal convictions, it's our practice to try to secure whatever we can in additional civil remedies that can reduce the overall burden to the taxpayer. In the course of criminal investigations, oftentimes, not enough legally admissible evidence may be available to prove a case beyond a reasonable doubt, and it would be shifted into a civil mode, where a lower standard of proof obtains and there's some prospect of recovery.

At the same time, civil litigation, absent any criminal fraud, would be carried out by our Civil Division and by the U.S. attorney's offices. These efforts, however, on the civil side, are somewhat dwarfed by the work that's done by the regultory agencies through their own staffs in the case of OTS, which is now gearing up a much greater effort, or FDIC, which last year, I believe, spent something on the order of $500 million in legal fees to outside counsel to handle matters involved in their litigation.

There is a potential for malcoordination, but I'm satisfied that, due to the efforts of the Inter-Agency Bank Fraud Working Group, which I described as having been created some years ago, with the addition of much tighter control at the working level through Mr. Richmond's office and with the cooperation of the various other agencies, that opportunities for gap or overlap in carrying forward civil remedies will be reduced to a minimum.

The CHAIRMAN. May I just ask before yielding, is there a single person that's in charge of that interagency group? And if so, who is that?

Mr. THORNBURGH. Well, Mr. Richmond's role as coordinator within the Office of the Deputy Attorney General, because the Department of Justice has responsibility overall for litigation as well as law enforcement, is to be the individual to whom we look for that leadership and that accountability.

The CHAIRMAN. Can he call the shots if there's a difference of opinion?

In other words, if somebody's got to say, look, you want to go this way and somebody else wants to go this way, and I've heard the evidence and we're going this way?

Mr. THORNBURGH. It's unlikely that those instances would be frequent because of the procedure I described.

Within the Department of Justice, we receive referrals from a wide variety of other agencies, and our first look is at criminal prosecution. I doubt that anyone would want to deter us from that to seek to handle a case civilly.

On the other hand, I think that once a determination is made to go civilly, it's unlikely that we would want to revisit that from the point of criminal prosecution, except when new evidence may come up. And in that case, it might call Mr. Richmond's office into play.

But my sense is—there's one other area where potential conflict may arise, and that is in asserting legal theories.

We, as the Department of Justice, having ultimately the sole responsibility to represent the government before the Supreme Court of the United States, where legal questions ultimately have the potential to end up, would want to ensure that legal theories that were at odds with our practice and policy were not being asserted in civil actions being handled by outside counsel or by administrative agencies.

But I don't want to create any kind of impression that there's any kind of pitched battle going on here.

The CHAIRMAN. No, no. I don't mean to say that, either. I want to know how——

Mr. THORNBURGH. There is a mechanism to resolve differences and it resides in Mr. Richmond's office, Mr. Chairman. I think, to my observation, it's working well.

The CHAIRMAN. I'm not going to take more time now.

Senator Garn?

Mr. THORNBURGH. Senator Garn, I want to first apologize. I referred to your distinguished colleague, Senator Gore, in my written statement. It should have been you. And while I'm sure Senator Gore shares an interest in this area, I didn't want to let that pass without correcting the record.

Senator GARN. Well, it doesn't bother me. It might upset him. [Laughter.]

He's young and handsome and has a full head of hair. [Laughter.]

Mr. THORNBURGH. I won't comment on that.

Senator GARN. Let me just follow up on this issue of coordination.

Speaking of that, when Senator Wirth and Senator Heinz were spending a great deal of time on it, we did have considerable lack of coordination. I was making some calls back and forth, particularly between Justice and FDIC. We would get information from Justice for what they would support and we'd find out then FDIC did not, and vice versa.

So I don't have any particular question, other than to echo what the Chairman was saying about coordination. We're all in the same Government. And in your case, the same administration with FDIC, OTS, the Fed, and Justice.

I can't emphasize enough how important that coordination is in getting this job done. That was just a little piece of legislation and it took considerably longer than we had anticipated simply to find out what each department of our own Government felt.

I think it worked out fine. We had a good compromise, but it could have been a much easier process.

Also, I want to get back into something that you mentioned, the same question I asked Mr. Seidman. That is in our zeal to find and prosecute responsible people in this catastrophe, that we may inadvertently be hampering our ability for the agencies to press their own civil and criminal cases.

For example, if, in talking about bounty hunters we encourage a lot of private civil actions, are we creating impediments or the banking agencies and the Justice Department to prosecute cases under their own authority?

I don't know whether you share these views, but if you do, what can we do to ensure that the Government's civil and criminal cases will not be interfered with?

Mr. THORNBURGH. Well, that was a concern that we expressed with regard, particularly, to the original Qui Tam proposals. But

I'm satisfied that the compromise that has been worked out greatly reduces any risk of such interference.

Obviously, that is a matter of considerable concern to us because we do keep an eye on what may be going forward on the civil side, insofar as it may have a harmful impact on criminal prosecutions. And we recognize that private parties have their own sets of remedies under the laws of the State and Federal governments.

Let me put it this way, I think that the bill which was passed in the Senate and the bill which is now through the House have, as far as we were able to accomplish, reduced the potential for that kind of interference.

But we'll keep an eye on it.

Senator GARN. We've also had a considerable amount of testimony, and I realize your responsibilities are certainly in the legal area. But many have testified that we have structural problems that have allowed a great deal of this fraud to take place.

And even if you're not able to answer now, and this obviously is primarily the responsibility of the regulatory agencies, but with the vast investigation that you have going on now, do you have any initial impressions of structural changes beyond the law enforcement issue trying to catch the criminals and put them in jail, so that Justice doesn't have as big a problem in the future? And other than your initial impressions as you go through your investigation, I'm sure that the committee would appreciate very much if you could highlight those sorts of things, say, "well, yes, we found and prosecuted and convicated this person. The reason they were able to get away with that until they were caught because of this type of accounting or structural problems that existed."

I think that would be very helpful, even though I recognize that this is not your area of expertise. You're bound to run on to things of that nature with the extensive nature of your investigation.

Mr. THORNBURGH. I think that's correct, Senator Garn.

As I stated, I believe, to this committee last year, it would be our hope that when an appropriate terminal date for this exercise has been reached, that we could reflect on the lessons learned and share them with you and with the regulatory community.

But I must say, that most of our people are busy trying to put the crooks in jail these days, and have very little time for such reflection.

I will say, as you may know, I served as Governor of my home State of Pennsylvania for 8 years, during which time this problem began to develop nationwide. And I can attest from personal experience, to the value of having a strong State regulatory apparatus in place, and careful attention given to the financial health of institutions at the State level.

As our State was mercifully spared in its thrift community, the kinds of depradations that we found in other States where, by all accounts, that regulatory structure was not in place, nor as vigorously enforced.

So that's a lesson that I learned, not as Attorney General, but as a Governor, but nonetheless would like to share with you.

Senator GARN. Well, that's a good observation and it should be obvious to anyone who looks at the facts of where the enormous amount of the problems occurred, 73 percent in State-chartered institutions. People don't seem to want to make the distinctions.

I continue to read about regulatory lapses at the Federal level and they're certainly have been some. I do not deny that. When you read a lot of these stories that are mixed up and don't make the distinction about Texas during this period of time, not only not strengthening their regulatory apparatus and hiring more—they were terminating people for budgetary reasons in their process.

So I think that anybody that looks at it will see, you can go across the country and if you had tough regulators on their State-chartered institutions, those are States that don't have much of a problem. And where they had lax regulation, again, at the State level, you see what happened in Texas and California and other States of that nature.

And I do recognize your people are busy trying to find the criminals, but, again, in the future, I think you might be very helpful to us.

Thank you.

The CHAIRMAN. Thank you. Senator Dodd.

Senator DODD. Thank you, Mr. Chairman.

Let me just focus on this commission idea and I invite my colleague from Missouri to sort of join in with me at this particular time, if I can, Mr. Chairman, since we both have a common interest in this particular matter here.

Senator Bond and I have introduced, along with the Chairman of the committee, and I think a number of others—how many cosponsors of that?

Senator BOND. Twenty, in addition to us.

Senator DODD. To us in the Senate. I wonder if you might—you've expressed yourself rather clearly about the commission that comes out of the House. I think all of us feel, particularly on this side—my view is, in response to the questions from Senator Riegle, you've got the tools that you need. You've got the adequate resources that you need.

I presume at some point, if you find out that you don't, we'll be the second to know. I presume the President will be the first and we'd be the second to be informed of that fact.

But as I heard in response to your last question by Senator Garn, while you'll certainly keep an eye out and watch for things, the structural kinds of questions, your job is to go after these individuals. And anything that detracts from that responsibility is going to delay and make it more difficult for you to do your principal job.

There are some very legitimate questions, policy questions, that I think we feel need to be addressed outside of the investigation, as such. And that is, basically, not only where did the money go, but how did the fiasco occur? Were there macro- or micro-economic conditions which exacerbated this problem? Were there policy decisions reached here or at the State level, as some have suggested rather strongly, that contributed significantly to this situation or not?

Those kinds of questions that we feel should be addressed outside of the criminal prosecutions that are ongoing, in order for us to minimize a continued deterioration in this particular case, but also so that it doesn't spill over into other financial services, and we can take a better look at what's going on.

I wonder if you might just comment on that. I don't know if you've had a chance to look at our specific proposal, but if you have—I'm led to believe that you may have, or some people on your staff have—you might comment on this.

We're going to be leaving here pretty quickly. This is the kind of commission—I'm reluctant, I think both of us are reluctant to talk about a commission. You have almost a Pavlovian response when you say another commission.

But in this case here, I think something is warranted so that we don't end up with a lot of—otherwise, it's the press that will decide what caused this. And I'm not suggesting that they're wrong, but I'm noticing already some fundamental errors that are being made in terms of identifying policy questions which may have had marginal effect on what would happen, but in many cases, little or no effect.

And unfortunately, that can become the accepted doctrine and will miss the point here in terms of what we ought to be doing as a legislative body, along with the Executive Branch, clearly, in trying to minimize, as I say, the continued deterioration in this particular area, but also, in others as well.

So I'd be interested in your comments on that and invite my colleague on my time here to jump in and ask any questions he may have as well.

Mr. THORNBURGH. We are familiar with your proposal, Senator, and we are also very appreciative of the cooperation that has been extended to address our concerns.

You're absolutely correct. Our focus is a narrow one. It is on law enforcement and upon prosecuting persons who have violated the law and recovering their ill-gotten gains. And there is a much broader area of policy that, indeed, cries out for examination.

Our concern is, and we're satisfied that it's being taken into consideration by your respective staffs in working through this problem, that we not find that any investigative undertaking into the policy area interferes or prejudices any ongoing criminal investigation in particular, and potentially on the civil side as well.

We have had a very vivid reminder within the last two or three weeks of the interplay between congressional investigations and criminal prosecutions.

All we want to do is raise that risk and that caution to enable you and your colleagues to make a careful choice about the direction in which such a commission would want to go. But we have no objection; indeed, would feel that the Nation would prosper from a responsible investigation into the causes and matters that you described, so long as it does not hold forth the potential for causing mischief in our criminal investigations.

Senator DODD. Well, let me just say to you in broad terms, I couldn't agree more with your last statement.

Let me yield to my colleague from Missouri because he has identified and described to me how he thought we might handle that particular situation. And if you'd just like to maybe describe that, I'd be interested in your response to Senator Bond's description of how we think we might handle that problem.

Senator **Bond**. Thank you, Chris. We're very sensitive to the problem that you raised and we can see that it would not be constructive. The last thing we want to do is foul up a criminal prosecution or cost the government millions of dollars by having a commission that goes into and investigates a particular case.

From the beginning, in my view, and I believe Chris and the other cosponsors share that view, we're not trying to redo the work of prosecution. This is not an effort to look over your shoulders.

You've got enough committees to report to on your ongoing civil and criminal prosecutions, and we appreciate your coming before this committee to address it.

Furthermore, the ongoing oversight of the activities of all of the agencies involved is something which this committee ought to be taking major responsibility for.

I see in a draft that has come before me now a provision which limits the calling of witnesses, administering oaths, a provision which I guess may have been suggested by the administration, where the commission intends to receive evidence or call a witness to provide testimony concerning a specific savings and loan institution or the role of any person in connection therewith. The commission shall notify the Attorney General, OTS and RTS 21 days before taking the testimony. And it further says that the commission shall not take testimony to the extent that you, OTS, RTC certify that such testimony or receiving such evidence would impair an investigation.

One of the alternatives that we had discussed would be to limit the ability to compel testimony, to issue subpoenas, to an action of the full commission, in which a majority of the 8 members would have to issue the subpoena and obviously have the notification of the subpoena in advance.

Now, I think that most of the evidence needed by this commission has probably been adduced already. As a matter of fact, we on this committee have been blessed not just with an adequate flow of information; we have been overblesssed.

A good part of the work that is going to have to be done would be to make some sense out of the mountains of information which has already been provided.

I do believe it is important to have the ability to fill in the blanks. I personally would not be so interested in what a particular individual with a particular institution may have done as the broader policy question. But to make sure that there is no gap, that they don't find that all of the trails lead to one point and there's a great black hole there, I think we should give them some kind of subpoena power, make sure that they can get the information.

I would appreciate your comments on the appropriate means of structuring such a subpoena or such a power to compel witnesses so we don't get into an area which you find would be an interference.

Mr. **Thornburgh**. I am not sure that I can address the details of that, Senator. But I am satisfied that the discussions between your staffs and the Department of Justice, people who raise this question and are discussing it, are heading in the right direction.

I think you've very ably pointed out the proper concern of any such commission, as I hope I've been able to remind members of our prosecutive concerns. I'm confident that some kind of balance can be reached in that regard, and I pledge you our maximum effort to see that that's the case.

Senator BOND. We appreciate your willingness to work on this. I know when we first suggested this, it's fair to say that we were greeted by a minimum amount of high enthusiasm by some in the administration and for good reason I have raised some questions about other commissions that have been proposed.

I hope that we can structure this properly so that we'll get the information and have something like—well, the Brady Commission has served as an excellent textbook on what happened to the stock market in October of 1987. I would hope that this commission, the Volcker Commission, or, if Chairman Seidman chooses to leave, the Seidman Commission, a commission of that caliber would be able to give us the information that we need and that the American people——

Mr. THORNBURGH. Just don't call it the Thornburgh Commission.

Senator BOND. Are you leaving that quickly?

Mr. THORNBURGH. No way. [Laughter.]

Senator BOND. OK. Well, we specify it's somebody out of Government.

Mr. Chairman, my colleague from Connecticut, I thank you for the opportunity.

The CHAIRMAN. Very good. Senator Graham? I've started the listing and the order based on who's back here for the second go-round. It's sort of—it's not totally fair any way I go, but in that order, Senator Graham, you're next.

Senator GRAHAM. Thank you, Mr. Chairman.

Mr. Attorney General, I appreciate your recalling the discussion that we had back in February of 1989, where we talked about a scorecard. At that time, I also asked if you could supplement what you had said at that time with what the standards of evaluation that you think are appropriate based on reasonableness and the maximum degree of precision possible.

You provided us with some statistics today. I'm going to ask some further questions about those, and would conclude with a request that you might try to reduce these statistics to a format that could be periodically updated so that we would have a method over time of consistently monitoring what is happening in this area.

With reference to the numbers that you have submitted, you indicated that there were 304 defendants, of whom 211 persons have been convicted.

Do you know how many of those 304 or 211 were internal to the institution; that is, an officer, director or employee of the thrift institution, as distinct from those that were external, such as accountants, lawyers, appraisers?

Mr. THORNBURGH. I don't have that at my fingertips. We can provide it to you.

As you know, these are major cases. One of the categories involved in defining a major case is that the defendant was an officer, director, or owner, including shareholder, of the institution. But we have not broken them down.

By the way, just to indicate to you how swiftly things change, there are 20 more defendants charged and 16 more convictions since the statement was furnished to you, and I updated that in my statement.

But we will give you that further breakdown. We do issue this report card now on a monthly basis, because of the high level of interest that's been involved. So that, I believe, will go to all members as well.

Senator GRAHAM. Very good. On that subject of external persons, we talked about that back in February of 1989, and you indicated that you felt you had sufficient legal authority and capabilities to bring to justice those persons who had benefited by their indirect affiliation with the institution.

Does that continue to be your assessment?

Mr. THORNBURGH. There have been a number of cases involving lawyers, accountants, and appraisers on criminal prosecutions, and a much larger group of persons in those categories who have been pursued civilly, by the regulatory agencies.

I believe the law, with regard to fiduciary duties and professional standards, is sufficiently developed that both criminal and civil remedies are deemed to be sufficient by those who handle these cases.

Senator GRAHAM. My sense is that, particularly in relation to recovering the maximum amount of money to offset what the taxpayers would otherwise have to contribute, the deep pockets are likely to be the persons who dealt with the thrift institution rather than the officers and employees of the institution itself.

We've had several cases in which we know that borrowings in the $100 million level or greater were made under suspect circumstances, defaulted, and have now become the responsibility of the taxpayers.

I would assume that somebody who had any shadow of ability to borrow $100 million had at the time, and maybe still has, some significant resources that could be reached.

Mr. THORNBURGH. Maybe. You'd be surprised. Some of these folks who engaged in some of these very extravagant financial transactions, we now have a tough time getting even minimal restitution or recovery from, because the assets have been dissipated or are, for the time being beyond our reach.

Now, I agree with you. I think that's right. You may be familiar with a case brought against a law firm that represented one of the thrifts that went under. My recollection is, there was a $20 million recovery or settlement in that case.

The same would be true of accounting firms and appraisers, where they have that kind of wherewithall.

Those are normally civil proceedings, but we have brought criminal proceedings as well, in which case there would be a potential for restitution orders or fines that could be added to that.

Senator GRAHAM. And I would assume that if those individuals had some form of professional liability insurance, that that would be sought for recovery.

Mr. THORNBURGH. Yes. And that's true for D&O coverage for those who may have been involved in civil or criminal liability within the operation as well.

Senator GRAHAM. Your testimony indicates that there's been a total of $56.6 million ordered in restitution in these major cases.

Do you know how much of that that has been ordered has been recovered?

Mr. **Thornburgh**. Yes, I do have that figure. I don't know if I can put my finger on it. It is a very discouraging figure, because the prospects of getting restitution from people who are in jail is not always that promising.

But I would be misleading you were I to indicate that that figure has produced any kind of significant recovery.

I agree with what Bill Seidman said, that if you get 5 to 10 percent ultimately of these losses recovered through civil or criminal proceedings, you're going to be lucky. But that doesn't mean that we're not going to pursue them just as diligently and relentlessly as we can.

For that reason, we've asked for additional civil talent within our division, and why OTS has geared up their own capability, and why, I assume, the other agencies are going to pursue them as well.

But there are a lot of barriers. One of the barriers that we have, unfortunately, is the absence of Federal law relating to debt collection. The Senate has passed that bill two or three times. It remains stuck in the House. We're hopeful it will be passed, because it will create a level playing field for our lawyers to go after civil recoveries.

Senator **Graham**. Excuse me, Mr. Chairman. One last question.

Your bottom paragraph on page 3 says, "The base upon which these task force efforts is building is substantial."

Are these numbers that you report that we've just been discussing all recoveries from your various task forces or do they represent a combination of task forces and the activities of individual U.S. attorneys' offices?

Mr. **Thornburgh**. They represent the Dallas bank fraud task force and the U.S. attorneys' offices, some of which had informal task forces prior to December of this year. All of the positions that were committed under the FIRREA appropriation, which we received late last year, have been filled, and those task forces are up and running.

Understandably, they have, in that 6-month period, produced only a small percentage of the figures reported here.

I think the point is a good one, that the Dallas task force, while it has had enormous success, is responsible for only about a quarter of the major convictions and cases that have been pursued. I think somewhere or other, the notion has gained currency that, other than the Dallas task force, our prosecutors were asleep at the switch.

Far from it. They have been using the available resources up through the end of 1989, and now have fully implemented the additional total of 27 of these task force operations to concentrate on these activities.

Senator **Graham**. I wonder, Mr. Attorney General, if in your statistical breakdown, you could indicate the source of the indictment and prosecution so that we could have some sense of where these are coming from.

Mr. **Thornburgh**. Yes. I think we can do that for you.

Senator **Graham**. Thank you.

Mr. **Thornburgh**. By district, where the U.S. Attorneys are.

The **Chairman**. Very good. We'll get that, then, for the record. Senator Kerry.

Senator **Kerry**. Thank you very much, Mr. Chairman.

Mr. Attorney General, I'd like to just take a moment first of all to congratulate you on your choice of someone I know you'd have to reach far for to put into the criminal division, but I know he's a good friend of yours and a long-time aide.

I'm delighted that Bob Muller will be serving ultimately.

Mr. **Thornburgh**. He'll ask for a raise.

Senator **Kerry**. He'll ask for a raise? [Laughter.]

Well, I'm even more delighted, notwithstanding an earlier involuntary association in life with the likes of me, he's been able to advance. So I congratulate you and him for that.

Mr. **Thornburgh**. Thank you.

Senator **Kerry**. Mr. Attorney General, I'd like to just ask you a few questions and get a sense—I find that the reports in the press are becoming more and more confused about the nature of the fraud, how much there is, what we're really looking at. And I hope that you can help us today to clarify that.

Bill Seidman, in his testimony just a little bit earlier, as well as publicly, has previously used figures of 60 percent. He said today that of the numbers of banks taken over, it's about 50 percent, that there is fraud of various kinds, but it runs the gamut, ranging from all kinds of kick-back schemes to fraudulent fees to various deals, inside trader and so forth.

What is your current—now that you've had a chance to put the task force together and to get a sense of what's happening here, can you try to clarify for us, and particularly against some news reports recently from people like Burt Elie, the economist, who says, hogwash, it's down to around $5 billion, maybe 3 to 5 percent in total, which is a great variance.

We're talking about resource allocation and the hysteria that's surrounding all of this thing. It would be good if we could get a handle on it.

Mr. **Thornburgh**. Part of the problem, I think, Senator, comes from the fact that there are really two different kinds of fraud, as you know. There is criminal fraud, which we can pursue with the criminal statutes, if we can prove a case beyond a reasonable doubt. There is also civil fraud, which does not rise to the level of criminal conduct, and which would be the occasion for using, either on our part or on behalf of the regulatory agencies, civil proceedings to seek to recover damages.

And perhaps some of those estimates confuse, or mix and match, those definitions.

I don't have any definitive figure, because we're still in the process of unfolding the dimensions of what the criminal fraud is. But I, on the basis of the review that I undertook when I first came into office, last year offered an estimate that between 25 and 30 percent of the failures, at that time, were involved with some kind of criminality.

I see no reason to——

Senator **Kerry**. You stick by that figure.

Mr. **Thornburgh**. Yes. It's as good as it's going to get.

Senator **KERRY**. That's a pretty significant figure.

Mr. **THORNBURGH**. Yes, it is.

Senator **KERRY**. Now, if you add the 30 percent that involved criminal with a certain significant proportion that are also civil fraud, where do you think you come out?

Mr. **THORNBURGH**. These are very ballpark figures, but, again, I have used, because we have been asked about this, a breakdown of: somewhere around a third of these failures being due to criminal fraud that we can prove, a third perhaps due to some lesser degree of fraud, and a third to sheer stupidity or incompetence.

And, again, I wouldn't go to the barrier for those figures, but, if it's useful, I'd offer those observations.

Senator **KERRY**. Is there any lesson with respect to the fact that there was this kind of significant fraud going on and the government seemed not to know anything about it?

Mr. **THORNBURGH**. I'm sure there is, but I'm not sure I'm the best witness in offering any thoughts on that. We're in the law enforcement business, and we pursue them as best we can.

I would leave it to the pundits, and those of you who set policy in this area to assess those, as Senator Dodd and Senator Bond have indicated an interest in doing.

Senator **KERRY**. Well, let me—with respect to the law enforcement piece of this, last week, before the National Press Club, you commented on the S&L crisis and said:

> I don't think there's any question, but sooner or later you're going to find organized crime in any major rip-off in this country. But the notion that there is any evidence thus far of heavy organized crime involvement in the savings and loan collapse is not borne out by the facts.

In the book, "Inside Job," there is a suggestion by the authors that every single institution they looked at in the writing of the book gave evidence of teamsters, organized crime, some kind of major organized crime involvement.

I think their quote is as follows:

> At nearly every thrift we researched for this book, we found clear evidence of either mob, teamster, organized crime involvement. Only one conclusion was possible—the mob had played an important role in the nation-wide fraternity that looted the savings and loan industry following deregulation.

There are considerable pages devoted to evidence of that. In addition, I notice that on the list of major savings and loan fraud conviction which you've provided, dated June 17th, many of the banks on that list— Centennial of Santa Rosa, California, Flushing Federal of Flushing, New York, Sun Savings of San Diego—there are strong indications of organized crime involvement with those.

Are we dealing with two different standards here? Do you have a different definition of "major"? Or is this something that needs to be reassessed?

Mr. **THORNBURGH**. After over 20 years of being involved in the prosecution of organized crime cases, I don't want to be misunderstood as saying that the mob is not interested in any opportunity it gets to infiltrate legitimate businesses and take financial advantage of that infiltration.

We do know of cases that have been pursued to conviction, cases that are awaiting trial, and cases that are under investigation where traditional, organized crime families have been involved.

Nonetheless, I would quarrel somewhat with the authors' conclusion, because I'm sure we could collate a substantial number of cases, if it were necessary, where savings and loans were looted without any evidence whatsoever of mob involvement.

The point is that—I think the point that I was trying to make last week—we should not take the easy way out and say that this is some organized crime conspiracy.

Senator KERRY. Oh, no, no.

Mr. THORNBURGH. This is white collar crime that has been engaged in by people otherwise thought to be pillars of the community, who associate with community leaders, with elected officials, with business and financial leaders, and without any connection to organized crime.

And, if we focus strictly on this as a phenomenon of organized crime, we will be missing a much larger picture of greed and corruption, which has characterized these types of investigations.

Senator KERRY. Well, that's why I'm trying to get at the distinction. And I'm understanding you to say that, indeed, there may have been significant organized crime involvement. There may be instances where various families were involved in taking advantage of the opportunities of the savings and loan deregulation and so forth. And I'm not even suggesting—I don't think anybody has suggested that that's the reason for it.

Mr. THORNBURGH. The authors seem to. That's the only reason. He said he hadn't looked at any case where there wasn't organized crime, massive organized crime, involved.

Senator KERRY. Well, I'm not here to defend—I don't have any horse in that race, I assure you. But I think they were just saying that they played an important role, is what they said. And I think there's a question here of whether the Justice Department—and I ask this, I mean, I'm not, I hope it isn't so. But if there's any possibility that the folding in of the organized crime units into the U.S. attorney's office may have somehow diverted the ability of people to focus or not, I don't know.

Mr. THORNBURGH. I do; it hasn't.

Senator KERRY. Good. Well, then, that's an answer to the question which I'd like to hear.

The other issue is obviously the resource issue.

The CHAIRMAN. I don't want to be arbitrary on the time, although——

Senator KERRY. No, no. I see my red light is on and I don't want to abuse it, Mr. Chairman.

The CHAIRMAN. I'm sensitive to getting Senator Shelby in. We may have time at the end here.

Senator KERRY. If we don't have time, Mr. Chairman— I think we're going to have difficulty with time because I have another meeting and this has gone on much longer than we'd thought.

So I'd simply like to ask if the record could remain open so I could submit a few questions in writing.

The CHAIRMAN. By all means. And if there's a question you want to ask now for the record, we can get it right now and then go to Senator Shelby.

Senator KERRY. I'd be happy to. Thank you.

The CHAIRMAN. Very good, then.

Senator **Kerry**. I thank my colleague.

Senator **Shelby**. Thank you, Mr. Chairman.

The **Chairman**. Senator Shelby.

Senator **Shelby**. Mr. Attorney General, good afternoon.

Before I get into this type fraud, you and your department has been investigating a brutal murder of a Federal judge, and this is a priority to you, too, in Birmingham, Alabama, a friend of mine and Senator Heflin.

I assume that investigation is going on. And there are a lot of things I realize you can't talk about, shouldn't talk about to anybody.

Does that remain one of the highest priorities of the Justice Department?

Mr. **Thornburgh**. Yes, it does, Senator.

Senator **Shelby**. And do you have a lot of people working on it?

Mr. **Thornburgh**. Yes, we do.

Senator **Shelby**. Do you feel like there's going to be any break in it, maybe not today or tomorrow, but down the road? Do you feel positive about it?

Mr. **Thornburgh**. I think it's our expectation that we will eventually be able to charge the person or persons responsible for that.

Senator **Shelby**. Good. People will like to hear this in my State and others.

Now to focus in on why we're here today, the American people, as you know, you're the chief law enforcement officer of the Federal Government, the top one, you've had a lot of experience. We've all worked with you before. But the American people are asking the basic question central to all of this—how did so many people get away with so much money? The average American, unfortunately doesn't see a lot going on to do something about it.

I realize, as you have been saying here, how difficult and laborious it is to prosecute these type white collar criminals. You know, they're not like Jesse James and so forth, robbing the train. They're robbing bigger trains, they're robbing the American taxpayers. But it is difficult and it's hard to explain.

But will your department leave any stone unturned to try to get to the bottom of this? Will every suspected culprit be prosecuted?

Mr. **Thornburgh**. So far as I can determine, Senator, (and I asked our prosecutors and the regulatory agencies, in preparation for my hearing before the Judiciary Committee last week) there is no significant savings and loan fraud allegation that isn't in one stage or another of investigation at this time.

Now, some of those may not result in prosecution for reasons that I mentioned earlier.

Senator **Shelby**. Evidentiary matters and everything.

Mr. **Thornburgh**. Excuse me?

Senator **Shelby**. Evidentiary matters.

Mr. **Thornburgh**. Yes, evidentiary matters. But I'm satisfied, based on review of this matter with our U.S. attorneys, with the coordinator, Jim Richmond, and with the officials in the FBI who have jurisdiction over this matter, that every major allegation of criminal wrong-doing within the thrift is under investigation, or the subject of current prosecutive efforts.

Senator SHELBY. You may already have been asked this question. Considering the enormous size of this, the enormous magnitude of the fraud, the biggest hit ever to the American government, to my knowledge, and the biggest cost to the American taxpayer, is your department now adequately staffed? If not, it soon will be adequate or more than adequate to pursue this?

Do you need more money or is what we have provided for you to hire more people, to hire more prosecutors on behalf of the American people adequate? Where are we?

Mr. THORNBURGH. Senator, in 20 years of dealing with policemen, prosecutors, judges and correctional officials, I don't think I've ever heard any one of them ever say to me they had enough.

Senator SHELBY. Very true, I'm sure.

Mr. THORNBURGH. But I am satisfied that what we have been provided by the Congress can enable us to make a significantly greater impact in this area than we would have been able to do without those resources. And if we need additional resources, we'll be back for them.

We'll use responsibly everything that you provide us.

Senator SHELBY. About a year ago, you appeared before this Committee, asked for money, and I believe we gave you more money, did we not, Mr. Chairman, than you asked for.

Mr. THORNBURGH. That's right.

Senator SHELBY. We just want you to use it wisely. I believe you will.

Last——

The CHAIRMAN. Senator Shelby, would you yield just at that point, and I'll protect your time on this.

Senator SHELBY. Surely.

The CHAIRMAN. And that is, earlier, I asked the Attorney General along that line if there was anything else that he needed at this time to get this job done. And the record will show that he feels that he has what he needs at this point.

And I further asked that if he reached a point, tomorrow or 2 weeks or 2 months and he needed more, that he'd let us know and we'd do everything we could to get it for him.

So, he's given us very clear answers on that today.

Mr. THORNBURGH. When you say "now," of course, I'm speaking in the context of the legislation and the appropriations that are moving through the Congress with respect to fiscal year 1991.

The CHAIRMAN. Yes. And we're determined to get those enacted.

Mr. THORNBURGH. OK.

The CHAIRMAN. And we'll get them enacted. Excuse me.

Senator Shelby.

Senator SHELBY. Thank you. Mr. Thornburgh, just trying to focus for a minute on a different type fraud, perhaps, if there is some, and it might be, might not be. A lot of us have asked a lot of questions here.

When a lot of these institutions were acquired as they were failing, we have the acquirers that have acquired a lot of failed or failing institutions.

Is there a task force in your department looking into possible fraud in the acquisition process? And I refer specifically to the Bluebonnet case because Mr. Fail, who was run out of my State of

Alabama, as you're familiar with, several years ago, put 15 thrifts together in Texas with a sweetheart deal worth $2 or $3 billion, so the reports are.

So there's got to be something wrong with the acquirers. There was either fraud there or someone looked the other way in the inducement.

I'm not asking you, do you know all the details of that. You probably don't. None of us. But is your Department going to get into looking at the possible fraud in the areas of where institutions have been acquired?

Mr. THORNBURGH. We would regard those as being within the mandate of the task forces which have broad authority to look into any kind of fraud that affects the savings and loan industry.

Senator SHELBY. Sure. But, ultimately, any investigation by the Resolution Trust Corporation, FDIC, the Internal Revenue Service, ultimately comes to you and your department.

Mr. THORNBURGH. That's right.

Senator SHELBY. And you would coordinate the possible fraud prosecution, if any, or civil, et cetera.

Mr. THORNBURGH. That's correct.

Senator SHELBY. Ultimately, the buck stops right here, doesn't it?

Mr. THORNBURGH. You bet.

Senator SHELBY. OK.

Mr. THORNBURGH. As I've been reminded.

Senator SHELBY. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Shelby.

Senator Wirth.

Senator WIRTH. Mr. Attorney General, in your statement, you indicated that from October 1, 1988 to date, there have been 211 convictions, and that 78 percent of those sentenced have received prison terms.

That works out to about 164 who have received prison terms, is my calculation.

Mr. THORNBURGH. 128, Senator, because not all of those who have been convicted have been sentenced.

Senator WIRTH. As a summary of all of this, can you tell us how many, at this point, how many former S&L officers are currently behind bars serving time in prison today?

Is that the 120-some odd? Is it 100 or how many? Do you know?

Mr. THORNBURGH. That question was asked by Senator Graham. I don't have that broken down currently, but we can do that and provide it for you.

I think within the last couple of months, the most dramatic development is our success in obtaining from the courts much stiffer sentences than we had been getting previously.

The 30-year jail term given to Woody Lemons, who was the former CEO of Bernan Savings and Loan. The sentences given to—let me see if I've got those here. These I mention because they're significant—a 20-year sentence given to Janet Fay McKenzie for her role in looting the North America Savings & Loan. The 15-year sentence given to Robert Hopkins, former chairman of Commodore Savings Association in Dallas.

These are the types of sentences that we are urging on the courts with increasing success when it comes to the top level management of these savings and loan organizations.

Senator **Wirth**. Well, I think that's very encouraging. I look forward to receiving that data.

I think, as you know, there's an enormous anger out there that a lot of these people are in their condominiums and not in jail, that they're behind the mast rather than behind bars, or however you want to put it.

Mr. **Thornburgh**. The 78 percent figure, I think, should be reassuring on that score. Now, not all of them are getting 20 and 30-year sentences, in spite of our efforts, but that, of course, is something that the courts——

The **Chairman**. May I interrupt, and I hate to do so? I've just been notified that we've received a phone call for you indicating that there's a need for you to go to the White House. I don't know whether it's on this Middle East situation or what have you, and I know nothing more than the fact that it was related as an urgent message.

So, is there another question you want to ask for the record?

Senator **Wirth**. All right. I will suspend. I wanted to know, the President on June 22, going to FIRREA and he found some money, in response to Senator Riegle's questions. Well, the President had said that the Department was now going to request significantly more funding, I guess $21½ million more than he'd originally requested. You are now up to $75 million you felt was necessary to do the job.

Have you all readjusted your request to the Appropriations Committee accordingly?

Mr. **Thornburgh**. I'm not aware of what the status of that is, Senator.

Senator **Wirth**. Well, I was checking it out——

Mr. **Thornburgh**. Obviously, our prime interest is in appropriated funds. But where that stands at the present time, I don't know.

We had an Appropriations Committee hearing earlier this year. Senator Hollings has indicated that a substantial increase is going to be forthcoming.

But I can't give you chapter and verse on where that stands.

Senator **Wirth**. It's my understanding that there has not been a specific request yet from the Justice Department.

Mr. **Thornburgh**. We'll furnish that information to you.

Senator **Wirth**. Right. Thank you very much, Mr. Thornburgh.

The **Chairman**. Very good. And we thank you for your time and testimony today, and we'll be talking with you further, I'm sure.

Mr. **Thornburgh**. Thank you, Mr. Chairman.

The **Chairman**. The committee stands in recess.

[Whereupon, at 2:05 p.m., the committee was recessed.]

[Response to written questions follow:]

RESPONSE TO WRITTEN QUESTIONS OF SENATOR RIEGLE FROM
RICHARD L. FOGEL

GAO
United States
General Accounting Office
Washington, D.C. 20548

General Government Division

October 31, 1990

The Honorable Donald W. Riegle, Jr.
Chairman, Senate Committee on Banking,
Housing, and Urban Affairs
United States Senate

Dear Mr. Chairman:

Your letter to the Comptroller General dated September 11, 1990, requests answers to several questions arising from my recent testimony before your committee on the federal response to fraud in depository institutions. We appreciate this opportunity to expand on the testimony and comment on other matters of concern to your committee.

Q.1. **We've seen a lot of different estimates of the extent to which fraud contributed to total losses in the S&L industry. At the low end Bert Ely has said fraud accounts for only about 3% of the losses. At the high end, Attorney General Thornburgh -- according to yesterday's Wall Street Journal -- puts the figure at 30%.**

(a) How much of the losses in the S&L industry do you think are due to fraud?

A.1a. We believe that knowing the extent to which fraud contributed to total losses in the thrift industry would be helpful in assessing the federal response to the fraud problem. However, we do not have an independent estimate; nevertheless, we believe there was substantial fraud. Bill Seidman recently noted that fraud contributed to the failure of about 40 percent of the thrifts under the Resolution Trust Corporation's (RTC) control.

Developing such an estimate presents a real challenge. One of the difficulties with estimating the extent of fraud in depository institutions is determining if and when suspect activities crossed the fine line between poor business judgment and fraud. Further, it is difficult to quantify the losses caused by fraud for activities which were proper when initiated but later became part of a fraudulent scheme.

It is important to note that the two estimates you have cited measure the extent of fraud in different ways. Mr. Ely's figure is an estimate of the percent of the thrift bail out cost which he attributed to net losses from criminal activities. The Attorney General's figure is an estimate of the percent of failed institutions where fraud occurred. It should also be noted that there are estimates available on the extent to which fraud was the primary cause of the failures and others on the extent to which fraud contributed to the failures.

(b) Have we seen the peak of fraud losses at insured depository institutions, or is there more to come?

A.1b. While it is difficult to say whether we have seen the peak of these losses, it is likely that newly discovered cases of fraud will continue to come to our attention, for several reasons. First, many if not most of the institutions that have failed in the last few years are still being investigated by the RTC and the Federal Deposit Insurance Corporation (FDIC) to determine why they failed and to identify individuals whose wrongdoing contributed to the failures. The FBI is also investigating individuals who are suspected of committing a criminal violation. Secondly, experts predict that many of the current problem institutions will eventually fail. Some of these additional failures will probably be caused by insider abuse. But, since many of the losses due to insider abuse are not discovered until after the institution has failed, we will probably continue to learn about additional instances of fraud at these institutions for years to come.

Q.2. You indicated in your testimony that more banks than thrifts have failed and the FBI has more banks, both open and closed, under investigation than thrifts. Why is so much focus being placed on fraud in the thrift industry? Why don't we hear more concern about fraud in commercial banks?

A.2. While bank fraud has been significant, the problems with thrifts have triggered wider concern for several reasons. First, a large number of thrifts have failed and it is expected that many more are likely to fail in the next two years. (Between 1988 and 1992 over one-third of the thrift industry will have failed.) Second, the staggering cost of the thrift failures exhausted the thrift insurance fund, so that additional losses associated with continuing failures will remain before Congress and inevitably fall to taxpayers to cover. Third, thin capitalization of thrifts has meant that the industry must struggle to meet the new capital requirements--seen by some as an additional impediment to survival. Finally, the media coverage of former thrift officials' business practices and spending habits has focused the public's attention on the thrift industry.

Q.3. The OTS "top 100" list has received a lot of publicity lately. Based on your review of Justice Department pursuit of fraud efforts, do you think the FBI and the U.S. attorney offices are actively pursuing the institutions on the lists?

A.3. In July 1990, we requested this list from OTS. However, to date, OTS and the Justice Department have denied us access to the OTS "top 100" list and supporting documentation. Without the list we have no way of knowing whether Justice is actively pursuing those institutions targeted by OTS for priority attention.

It should be noted that on October 3, 1990, the New York Times published a list of 116 thrifts it described as the "top 100" targeted by OTS and forwarded to Justice for priority attention. Justice's Special Counsel for Financial Institution Fraud will not confirm the authenticity of the list appearing in the New York Times, and continues to say he can not provide GAO with the official version of the OTS list or the comparable lists prepared by other financial regulatory agencies. He indicates only that putting all the lists together and eliminating duplicates yields a total of 189 targeted institutions.

Q.4. GAO's testimony notes that there are some pretty big gaps in the record keeping when it comes to fraud and enforcement statistics. Do we really know with any degree of accuracy how much fraud is going on out there?

A.4. The gaps in the record keeping that we noted in our testimony are indeed significant. For example, we could not get an accurate count of the number of criminal referrals the regulatory agencies and the institutions they regulate made to Justice. We found that the regulators use different criteria for keeping records on the referrals with some recording all referrals and others recording only those involving losses over a certain dollar amount or where there was some other significant circumstance. We were also unable to obtain complete, reliable data on criminal restitution recoveries for financial institution fraud. These gaps make it impossible to know (1) what the total federal enforcement effort has been and (2) how much fraud is being detected.

Q.5. Do you have any idea how deeply organized crime is involved in bank and thrift fraud?

A.5. We have not pursued this specific matter and our audit work has not surfaced any information beyond news stories on the extent to which organized crime has been or is involved with bank and thrift fraud.

Q.6. Why is it that most of the major forms of bank and thrift fraud seem to involve real estate?

A.6. Thrifts have been required to have a high percentage of their assets in residential real estate to qualify for certain benefits. They were allowed to make direct investments in real estate and they could be owned by and affiliated with real estate companies. Additionally, because real estate values are not measurable with the same degree of precision or frequency as, for example, investment securities, fraudulent or abusive transactions utilizing manipulated appraisals are relatively easier to undertake and more difficult to detect. Real estate acquisition, development, and construction lending provided many opportunities for speculation, also often involving abuse. This convergence of factors in the thrift industry increased the likelihood that real estate would be the primary area for fraud and abuse, particularly in an era of weak supervision.

Banks, on the other hand, are not so closely tied to real estate. Bank business is more diversified, direct investments in real estate are generally not permitted, and banks may not be owned by real estate companies.

Q.7. In FIRREA, Congress substantially increased the penalties for bank thrift fraud, and the pending Crime Bill would increase penalties yet again. Are there ways to approach the fraud problem other than through the criminal justice system?

A.7. Yes. In addition to the criminal prosecution of fraud, the Justice Department can pursue fraud through civil litigation. FIRREA authorized the Attorney General to bring actions to recover civil penalties or seek restitution from individuals or corporations who violate any one of ten criminal statutes pertaining to financial institutions. These civil penalty cases will require the presentation of evidence on the same elements as the criminal statutes, but will have the advantage of the lesser civil standard of proof, i.e., a preponderance of the evidence rather than proof beyond a reasonable doubt. Civil actions can also be taken by the FDIC and RTC, as conservator or receiver of failed banks and thrifts, against professionals within or related to the institution who violated the law and regulations or breached their fiduciary duties. In filing professional liability claims, these agencies seek money damages from these individuals and/or insurance companies.

Another way is to insure that the regulators do more to promote safer and sounder bank and thrift operations to prevent fraud from occurring or if the fraud does occur, to detect it earlier to minimize the losses associated with the fraud. We also believe that financial institution managers and board of directors should be held to higher levels of accountability in their efforts to comply with the laws and regulations relating to safety and soundness.

In recent GAO reports and testimony, we have recommended, among other things, that

-- regulators conduct annual on-site full scope examinations of large financial institutions and problem institutions;

-- regulators act earlier and use the enforcement tools available to take more forceful action against safety and soundness violations;

-- regulators require large institutions whose failure would cause a significant cost to the insurance fund to have their quarterly call reports reviewed by an independent public accountant;

-- financial institutions prepare annual financial statements in accordance with generally accepted accounting principles;

-- financial institutions establish adequate internal controls and annually assess and report on whether such controls provide reasonable assurance that (1) transactions are executed and access to assets is permitted only in accordance with management's authorization, (2) transactions are recorded to permit preparation of financial statements in conformity with sound accounting principles and to maintain accountability for assets, and (3) the institution complies with applicable laws and regulations including those related to safety and soundness;

-- independent public accountants annually audit the institution's financial statements, and examine and report on the institution's assessment of its internal controls;

-- audits of financial institutions be performed only by independent public accountants who have received an adequate peer review;

-- independent public accountants identify all significant related party transactions and review their financial substance;

- -- independent public accountants review risks and uncertainties and evaluate the institution's ability to continue in business over the years;
- -- independent public accountants pursue indications of illegality by the institution, inform the management and directors of the institution if it is determined that an illegality has likely occurred and, if the institution does not take corrective action on a substantial illegality, report to the regulators, resign from the audit or both; and
- -- financial institutions establish truly independent audit committees that include lawyers whose duties include reviewing the basis for the reports issued by an institution's management and accountants.

- - - -

I hope you find these answers helpful. If you have any additional questions, please contact Lowell Dodge of my staff on (202) 275-8389.

Sincerely yours,

Richard L Fogel

Richard L. Fogel
Assistant Comptroller General

RESPONSE TO WRITTEN QUESTIONS OF SENATOR RIEGLE FROM

Professor Benton Gup

THE UNIVERSITY OF ALABAMA
College of Commerce and Business Administration

ECONOMICS, FINANCE
AND LEGAL STUDIES

Response by Benton E. Gup, Ph.d.

Chair of Banking

The University of Alabama, Tuscaloosa AL.

Q1. Judging by the number of suits the FDIC and RTC have filed against directors and officers, it seems that breach of fiduciary duty has become widespread.

a) Why do you think breach of duty has become as common as it has?

b) In your opinion, can anything be done to make officers and directors of banks and thrifts more cognizant of their financial obligations?

A1. (a) Being a bank director carries with it a mantle of prestige. The public image of a bank director is a successful person who is held in high esteem in his or her community - a decision maker, a power broker. Moreover, directors get to associate with the other perceived elite, meet once or twice a month for a nice meal, maybe attend a business meeting at some vacation spa, and get paid too. For these reasons, many well meaning citizens seeking to enhance their positions in the community willingly accept bank directorships when they are offered. I am using the term bank to cover insured depository institutions.

Unfortunately, most of those who accept directorships have little of no knowledge of the duties of a director, or what banking is about, and they do it for personal gain. The result is that we have a large number of unqualified directors.

There are several reasons why this is so. First, there are about 13,400 FDIC insured commercial banks. If each bank has, say, fifteen directors, that gives us a pool of 201,000 directors spread across the nation. It is not surprising that out this large number of directors, some of them will violate regulations and breach their duties. Along this line, many of them do not know the rules or their duties. Even if they do know them, the financial rewards for breaking the rules may be greater then the cost of doing "the right thing."

Second, we have a large number of small banks. About 63 percent (8,400) of the 13,400 FDIC-insured commercial banks have total deposits of $50 million or less. Small banks have a more difficult time attracting experienced and knowledgeable directors than large banks. This is especially so for small banks in rural communities where individuals who have such experience and knowledge are in short supply.

Third, some bankers use directors as marketing tools to attract new deposits and new business. This is why they put football coaches and other "high visibility" people on their boards without regard to the knowledge these individuals have of banking or their duties as board members. Moreover, the bankers may prefer that their boards "rubber stamp" actions rather than question them. Stated otherwise, it is not necessarily in the banker's best interest to have the board ask too many questions. Thus, some managements prefer to control their boards rather than board controlling them, which is the way it is supposed to be.

A1. (b) Education is one solution to the problem of ignorance. Directors, like other professionals, such as lawyers, should be required to attend continuing education seminars to keep them up to date on developments that may affect their banks, and to make them aware of their duties.

More contact with bank examiners is must. Currently, national bank examiners only meet with directors once each year. Twice a year should be a minimum to keep the directors up to date on the condition of their banks from a safety and soundness, and compliance point of view. Directors who know that the examiners are "looking over their shoulders" and see them on a frequent and regular basis are more likely to do their duty than if they rarely, if ever, have such contacts with examiners.

Q2. We've seen a lot of different estimates of the extent to which fraud contributed to total losses in the S&L industry. At the low end, Bert Ely has said fraud accounts for only about 3% of the losses. At the high end, Attorney General Thornburgh -- according to yesterday's Wall Street Journal -- puts the figure at 30%.

a) How much of the losses in the S&L industry do you think are due to fraud?

b) Have we seen the peak of fraud losses at insured depository institutions, or is there more to come?

A2. (a) Bert Ely's estimate of $5 billion of S&L losses due to fraud is grossly understated. He recognizes fraud, but ignores insider abuse. Fraud is criminal misconduct and refers to violations of statutes. Insider abuse refers to a wide range of misconduct by insiders of financial institutions, committed with the intent to enrich themselves without regard to the safety and soundness of their institutions. There is a very thin line between what is insider abuse - which is legal but not good - and criminal misconduct. However there is no difference between them from the point of view of about 100 million taxpayers who have to pay for S&L losses.

Self dealing loans with preferential terms, kickbacks, and unwarranted fringe benefits are examples of insider abuse. But for insider abuse, many of the loans that caused financial institutions to fail would not have been made. A 1989 General Accounting Office study of 26 failed thrifts found indications of fraud and insider abuse in all of them. This suggests that fraud and insider abuse are wide spread. That is not to say that fraud or insider abuse was the proximate cause of the failures. However, there is no doubt that such activities contributed heavily to S&L losses.

Equally important, it is mostly unsuccessful frauds that have been uncovered by regulators and investigators. The fraudsters were unsuccessful because they were caught. No one knows how many successful frauds have been committed that have not been uncovered. Writing off delinquent loans is one method for fraudsters to hide their activities. There is no practical way at this time to determine which loan write offs were legitimate and which were not at all failed institutions. Frauds by their very nature are covert and difficult to detect. Consequently, assigning a dollar amount to losses attributable to successful frauds is nothing more than a guess. My guess is that as much as 1/3 of the $150 billion of S&L losses may be due to fraud and insider abuse.

A2. (b) We have not seen the peak of fraud losses. The bad news is that according to FDIC data (FDIC Quarterly Banking Profile), about 1095 (11.4 percent of total) small commercial bank (assets of $100 million or less) and 5 large banks (assets of $10 billion or more) were losing money in the first quarter of 1990. The good news is that these figures represent an improvement over the data for 1989. Most of these banks were located in the Southwest (17.0%), West (16.3%), and Northeast (15.4%).

Unfortunately, as the current economic expansion slows, more banks will lose money, fail, and more frauds will be uncovered. Total losses will rise above the $150 billion level.

Once large-scale fraud is detected, it takes the FBI up to 3 years to complete its investigations. Then come the trials and appeals. So if we uncovered a fraud today, it may be five years before the situation is resolved. The crimes being prosecuted today were committed in the mid 1980s. Thus, we will be hearing about S&L frauds for a long time.

Q3. GAO's testimony notes that there are some pretty big gaps in the record keeping when it comes to fraud and enforcement statistics. Do we really know with any degree of accuracy how much fraud is going on out there?

A3. We only know about unsuccessful frauds, those that have been detected. We can only guess about the extent of those frauds that were or are successful in the sense they are still being perpetrated or the crooks got away with them.

Equally important, the allegations of fraud reported by bankers in Criminal Referral Reports (CFRs) are nothing more than allegations until they are proven. Most of the CFRs deal with relatively small thefts and fraud by employees and others. They usually are not the types of fraud or insider abuse that cause banks to fail.

The major frauds and insider abuses give rise to a different set of problems concerning data and enforcement statistics. Fraud, by its very nature, is covert. Therefore it is not surprising that some banks engaged in fraud have what appear to be "healthy" financial statements until the day they are closed. This was the case of Empire Savings and Loan, Mesquite, Texas, that was closed with losses of over $170 million. The officers of that organization provided false and misleading financial statements to regulators and others. Empire's books were in such disarray that Coopers & Lybrand, their auditors, were unable to meet their deadlines. Moreover, the Federal Home Loan Bank Board was aware of significant problems with this S&L two years prior to its closing!

Having data and using it effectively are two different things. Accordingly, bank regulators were aware of significant problems at Jake Butcher's bank (United American Bank, Knoxville, Tennessee) six years before it failed! The point here is that even when regulators have data and are aware that there are major problems, they did not acted decisively to correct them or close the institutions before they became insolvent.

In other instances, some have argued that regulators contributed to the large number of bank failures by closing the bank too early; and that given a sufficient amount of time, the banks would have returned to profitability. I do not believe this a correct view in most cases.

Finally, there is confusion concerning the auditor's role in detecting and reporting fraud. One problem they face is the so-called "expectations gap." The public thinks auditors should be able to detect irregularities and fraud, and report them to regulators and law enforcement officials. The auditors have a different point of view. Their focus is mainly on the "fairness" of financial statements. Most auditors do not audit for "fraud;" and uncovering fraud is usually an accidental by-product of their work.

Audits for fraud are substantially different than regular audits, and most auditors do not have training in this fraud detection. Moreover, the auditors ability to interact with the other banks involved in fraudulent schemes is limited when more than one bank is involved. Finally, The Right to Privacy Act is another barrier to auditing for fraud. When auditors do find irregularities, they report them to management, and only in rare cases to regulators and law enforcement officials. These facts help to explain why so many failed banks do not have qualified audit opinions. The net result is that audit opinions are of little value in measuring the extent of fraud or insider abuse.

Q4. Why is it that most of the major forms of bank and thrift fraud seem to involve real estate?

A4. Real estate was a convenient target of opportunity because of the large dollar size of many real estate projects. In addtion, real estate development was booming in the Sunbelt and elsewhere in the early 1980s when most of the S&L problems arose. The growth of real estate lending was fueled by brokered deposits and linked financing deals on large real estate projects. Many of the projects that subsequently failed were fraudulent, or they wishful thinking on the part of real estate speculators.

S&L lending activities are concentrated in real estate finance. Similarly banks are active in real estate. In fact, commercial banks are the largest source of real estate finance. At commercial banks, noncurrent real estate loans percentages exceed 3 percent in 16 states. The highest as of March 31, 1990 were Arizona (11.18%), Massachusets (9.33%), Connecticut (7.04%), Rhode Island (6.46%) and Texas (6.76%). As economic activity slows, we can expect to see these figures go higher and more frauds to be uncovered.

Fraud is by no means limited to real estate loans. One S&L loaned $5.6 million to finance a Hungarian movie about a rock band being chased by a man-eating bear. Jake Butcher's United American Bank, Knoxville, was engaged in fraudulent loans of all types, and Penn Square Bank (Oklahoma City, OK) specialized in fraudulent oil loan participations.

Q5. Do you have any idea how deeply organized crime is involved in bank and thrift fraud?

A5. Yes. Individual organized crime figures are involved in the failures of some banks and thrifts. They appear to be taking advantages of particular situations as they arise (e.g., Florida Center Bank, Orlando; Indian Springs Bank, Kansas City; The Aurora Bank, Aurora, Colorado). However, with one exception, there is no compelling evidence that organized crime organizations are trying to make banks fail. On the contrary, they want banks to operate so they can launder funds, and for other purposes. The exception referred to previously are the Nigerians. Groups of Nigerians are trained in Nigeria, in what is said to be a government sponsored school, on how to steal from banks. Most of it is small scale flim flam operations. Banks don't publicize their being victims of the Nigerians and very little is said about them outside banking and law enforcement circles.

Q6. In FIRREA, Congress substantially increased the penalties for bank fraud, and the pending Crime Bill would increase penalties yet again. Are there ways to approach the fraud problem other than through the criminal justice system?

(a) Could we beef up internal controls or audit process and prevent fraud that way? If so, how?

(b) Could anything be done to raise the level of fiduciary duty for officers or directors, or make directors and officers more cognizant of their duties? Might that help to bring down the level of fraud?

A6. It is easier to prevent fraud than to detect it, prosecute it, and win. The most effective way to prevent bank fraud and insider abuse is to have active boards of directors, complying with the statues and regulations, and exercising its duties with diligence. When the directors fail to do so, and the bank fails due to fraud or insider abuse, they should be held accountable for their negligence, criminal misconduct, or both.

At the regulatory level, the physical on-site presence of regulators and examiners, as well as enforcement of rules and guidelines, encourages correct behavior on the part of bankers and directors and has deterrent effect on fraud.

A6. (a) Strong internal controls are a major deterrent to fraud. However, internal controls must be enforced to be effective. The best controls in the world are worthless if they are not used. Thus, enforcement of internal controls is the key to success. This requires a strong board of directors exercising their audit duties and requiring internal and external auditors to act accordingly.

There are inherent differences between auditing for fraud and standard audits. One difference is that auditors are not trained criminal investigators. Auditing methodology is directed toward objectivity and away from criminal investigation. This suggests that there is a need for some auditors to have additional training in detecting fraud. Along this line, the cost of an audit for fraud with be substantially higher than that of a regular audit. If the cost of a regular audit is $100,000, the cost of one to detect fraud may be triple that amount or more. Moreover, auditors may not be able to track certain transactions to other banks, and the Right to Privacy Act stands as a barrier to such audits.

A6. (b) Education is one solution to the problem of ignorance. Directors, like other professionals, such as lawyers, could be required to attend continuing education seminars to keep them up to date on developments in banking that may affect them and also to make them aware of their duties.

More contact with bank examiners is another must! Currently, national bank examiners only meet with directors once each year. Twice a year should be a minimum to keep the directors up to date on the condition of their banks from a safety and soundness, and compliance point of view. Directors who know that the examiners are "looking over their shoulders" and see them on a frequent and regular basis are more likely to do their duty than if they rarely, if ever, have such contacts with examiners.

Q7. Are bank and thrift fraud cases getting the priority they deserve from bank regulatory agencies? From the criminal justice system?

A7. I have no information on the priority given bank/thrift fraud cases by the regulatory agencies or the criminal justice system. Nevertheless, the following suggestions would be helpful to both regulators and law enforcement officials in reducing the manpower needed to deal with those issues. First, further extend the statute of limitations on criminal activity relating insured depository institutions. This will allow fewer persons to work on existing cases before the statutes run. Second, bring suit or prosecute bank directors who breached their duties and/or knowingly participated in criminal wrongdoing. Civil actions are another vehicle that should be used. These actions will send a loud and clear message to the directors of other financial institutions and reinforce "correct behavior." We can't undo the wrongs of the past, but we can prevent many of them from occurring again in the future. The place to start is with the directors who are responsible for the welfare of their organizations.

FEDERAL DEPOSIT INSURANCE CORPORATION, Washington, DC 20429

OFFICE OF THE CHAIRMAN

December 18, 1990

Dear Mr. Chairman:

We are pleased to submit the enclosed answers to the written questions you and Senator Dixon posed following my August 2, 1990 testimony on bank and thrift fraud. As a courtesy to Senator Dixon, we are also sending him a direct copy of the answers to his questions.

If you need any additional information, please let me know.

With best wishes.

Sincerely,

L Wm Seidman

L. William Seidman
Chairman

Honorable Donald W. Riegle, Jr.
Chairman
Committee on Banking, Housing,
and Urban Affairs
United States Senate
Washington, D.C. 20510

Enclosures

QUESTIONS FROM CHAIRMAN RIEGLE RESULTING FROM CHAIRMAN SEIDMAN'S AUGUST 2, 1990 TESTIMONY ON BANK AND THRIFT FRAUD

Q.1 Mr. Benton Gup, a Banking Professor at the University of Alabama who appeared before our Committee on August 1 told us that: "Between half to two thirds of the de novo S&Ls chartered in 1980-82 failed before 1987. . . . Obviously, there is something wrong with the requirements for chartering de novo financial institutions when only restaurants have a higher failure rate."

Please find out for the Committee:

Q.1(a) How many thrifts were chartered between 1980 and 1982?

A.1(a) According to data provided to the Federal Deposit Insurance Corporation by the Office of Thrift Supervision, 102 thrifts were chartered between 1980 and 1982 (43 in 1980; 33 in 1981; and, 26 in 1982). We have attached as Attachment 1 a list containing the name, location, and chartering year of the 102 thrifts.

Q.1(b) How many of the thrifts chartered in that period failed?

A.1(b) According to information the FDIC obtained from the OTS, 48 of the thrifts chartered from 1980 through 1982 have since failed. The 48 institutions are comprised of: 11 assisted mergers; 10 liquidations; one OTS conservatorship, and, 26 RTC conservatorships or receiverships. Twelve additional thrifts are no longer active in the form in which they were originally chartered. These 12 institutions either: 1) were resolved through an unassisted supervisory merger; 2) voluntarily merged with another institution; or 3) converted their charters and became insured by the FDIC.

Q.1(c) How much has the failure of these thrifts cost the deposit insurance fund and the taxpayers?

A.1(c) Attached as Attachment 2 is a list of the estimated resolution cost of each of the failed thrifts. For your information, Attachment 2 also contains the name of the one thrift that is in an OTS conservatorship and a list of the 12 thrifts that are no longer operating, but that closed without Federal financial assistance.

Q.1(d) Why, in your view, was the failure rate of these thrifts so high? Has appropriate action been taken to correct the problem, or are de novo thrifts still unusually susceptible to failure?

A.1(d) Neither the FDIC nor the RTC keep track of thrift failures based on their year of chartering. Consequently, we have no information on which to base a conclusion that thrifts chartered from 1980 through 1982 failed at a higher rate than thrifts chartered in other years.

With the enactment of FIRREA, the FDIC was granted for the first time the authority to approve or deny deposit insurance coverage for de novo thrift institutions. The FDIC considers this an important responsibility, and we conduct a full and thorough investigation of each application we receive. Consideration is given to all the factors enumerated under the law, including the risk presented to the deposit insurance fund. If any of the factors are resolved unfavorably, the application will be denied.

The adverse conditions in the thrift industry have been such that de novo thrift activity has virtually ceased. We have received only three de novo thrift applications for deposit insurance since the enactment of FIRREA on August 1, 1989.

The FDIC, along with the OTS, is now involved in the supervision of thrifts, including those chartered prior to the enactment of FIRREA. We feel that due to the increased supervisory attention that these thrifts are receiving, the failure rate for recently chartered institutions should be substantially reduced and then maintained at low levels. As with any new financial institution, new thrifts should be chartered and insured only after a vigorous applications process, and they should be subject to more than normal supervision during their start-up years. We believe the FDIC policies and practices meet these tests.

Q.2 Do you have any idea how deeply organized crime is involved in bank and thrift fraud?

A.2 The FDIC's Legal Division initiated a limited inquiry earlier this year into the question of organized crime involvement in financial institutions fraud. That inquiry has not yet produced a definitive answer to the question. You may wish to contact the Department of Justice about this issue since DOJ is the Federal agency responsible for criminal prosecutions. It would be in a better position to comment on organized crime involvement in financial institutions fraud.

Q.3 In FIRREA, Congress substantially increased the penalties for bank and thrift fraud, and the pending Crime Bill

would increase penalties yet again. Are there ways to approach the fraud problem other than through the criminal justice system?

Q.3(a) Could we beef up internal controls or the audit process and prevent fraud that way? If so, how?

A.3(a) The FDIC has long believed that expanding audit coverage and improving the audit process would help alleviate fraud and defalcations at financial institutions. For this reason, the FDIC in 1988 adopted a Statement of Policy Regarding Independent External Auditing Programs of State Nonmember Banks which strongly encourages each state nonmember bank to obtain an annual external audit of its financial statements performed by an independent public accountant in accordance with generally accepted auditing standards. Nevertheless, the FDIC recognizes that some banks may decide not to engage an independent public accountant to perform an audit for various reasons, including cost. To encourage certain basic external auditing procedures as a less costly alternative for banks choosing not to have a financial statement audit, in 1990 the FDIC adopted a Statement of Policy Providing Guidance on External Auditing Procedures for State Nonmember Banks. These basic auditing procedures cover the high risk areas of most banks, including loans, the allowance for loan losses, securities, insider transactions, and internal controls.

The FDIC is also concerned with improving the quality of the audit work performed for financial institutions. We have recently entered into an agreement with the Florida Board of Accountancy to provide it with information when FDIC examiners or liquidators encounter substandard auditing work at Florida financial institutions so that the state may consider disciplinary action against the auditor. The FDIC and other member agencies of the Federal Financial Institutions Examination Council, through its Task Force on Supervision, are also working with the American Institute of Certified Public Accountants and the National Association of State Boards of Accountancy to extend this agreement to all states and to all federal financial institution regulatory agencies in an attempt to improve audit quality.

Improving internal controls at financial institutions would also prevent some fraudulent activities. Nevertheless, the prevention of fraud is not the only objective of either internal control or an audit. Fraud prevention is just one of several internal control objectives, including detecting possible negligence and incompetence, assuring the accuracy and reliability of accounting records, measuring compliance with bank polices, and evaluating the efficiency of operations.

The principal purpose of an audit is to enable a public accountant to form an opinion as to the fairness of an institution's financial statements. The auditor also has a responsibility to assess the risk that errors and irregularities may cause financial statements to contain a material misstatement. Thus an auditor is expected to design the audit to provide reasonable assurance of detecting material errors and irregularities.

Through the normal operation of an appropriate internal control system and audit of a bank's or thrift's financial statements, some fraud is undoubtedly prevented. The knowledge that systems exist that may detect fraud probably discourages some activity leading to fraud from taking place. However, requirements for substantially increased internal controls in an institution will add significantly to the institution's costs, and must be weighed against the potential benefits. Similarly, the cost to banks of a requirement for external audits of all banks, regardless of size, may outweigh the benefits. Furthermore, approximately two-thirds of all banks and about 95 percent of institutions over $150 million in total assets are already audited. Materially increasing the procedures performed or size of samples used during an audit would substantially increase the cost of the work. Thus, the FDIC prefers to continue urging institutions to expand the audit work performed and, if necessary, improve their internal controls, rather than mandating additional procedures at this time.

Nevertheless, in recent years, the recommendations of the Treadway Commission and initiatives of the Securities and Exchange Commission have increased attention on internal controls as one element that may reduce fraud and defalcations in financial institutions. This increased focus has highlighted the lack of clear and commonly understood definitions and standards as to what constitutes an effective internal control system. During the 101st Congress, Congressman Wyden introduced legislation that would require auditors to review and report on whether publicly-held companies maintain adequate systems of internal controls. In view of the FDIC's interest in the use of external audits, that legislation appears to complement the provisions of our recent auditing policy statements.

Q.3(b) Could anything be done to raise the level of fiduciary duty for directors or officers, or to make directors and officers more cognizant of their duties? Might that help to bring down the level of fraud?

A.3(b) Raising the level of fiduciary duty for officers and directors or making them more cognizant of their duty per se is not likely to have a significant impact on the level of fraud. Those individuals prone to fraud are not likely to be deterred by more stringent rules or further education in any event. There is always room, however, for further educational efforts regarding the duties and responsibilities of officers and directors. Too often, the individuals responsible are only vaguely aware of their duties and, indeed, their potential liabilities. The FDIC has been active in this effort for some time and has, for example, published a "Pocket Guide for Directors", which we distributed to each director of every insured bank.

Q.4 Please provide the Committee with a list of each failed bank and thrift that has been resolved by the FDIC, the RTC or its predecessor, the FSLIC, since 1985, indicating with respect to each institution:

A.4 Attached at Attachment 3 are: 1) lists of each failed bank that has been resolved by the FDIC since 1985; 2) a list of each thrift that has been resolved by the RTC since its inception; and, 3) an official FSLIC list of resolutions for the period 1987-1988 (plus 10 1989 resolutions) and an unofficial list prepared by the FSLIC's former Analysis and Evaluation Division that covers the period 1980-1988 (plus 10 1989 resolutions.)

Q.4(a) Has the FDIC, the RTC, or the Bank Board conducted an investigation to determine whether the Federal government has potential claims against former officers, directors, professional advisors, or other individuals acting in concert with those individuals?

A.4(a) The FDIC and RTC both pursue a philosophy and practice of investigating activities that may yield recoveries as a result of fraudulent activity and professional malpractice. The RTC and FDIC have a duty to each receivership and to the taxpayers to maximize recoveries from any viable source, including directors and officers, accountants, legal counsel, appraisers, and insurance policies covering their professional conduct. The FDIC, as a matter of standard operating procedure since well before 1985, conducts an investigation into the circumstances of every depository institution failure to determine whether the FDIC has potential professional liability claims or whether there was criminal conduct involved. The RTC also conducts an investigation into every institution in its caseload to determine potential civil recoveries and whether criminal conduct contributed to a failure.

The investigators identify the individuals who caused bank and thrift insolvencies by their negligent or reckless mismanagement, fraud, or criminal conduct. The investigators also help determine whether, and what sort of, litigation should be initiated to recover misappropriated assets. The range of potential defendants includes the failed institution's former officers, directors and professional service providers. The range of potential claims ranges from banker's blanket bond insurance, directors' and officers' fidelity coverage, attorney malpractice, accountants malpractice, appraiser malpractice, and any fraudulent activity. In practice, FDIC and RTC investigators are involved initially and throughout the civil litigation process, supporting the attorneys. FDIC and RTC investigators also assist the Federal Bureau of Investigation and U.S. Attorneys in bringing criminal actions against individuals who benefited personally at the expense of the deposit insurance funds or the American taxpayer.

It is our understanding that the Federal Home Loan Bank Board's policy was to conduct an audit of each failed thrift, either through its Inspector General's Office or through an independent auditing firm. You may wish to contact the OTS for more specific information on the Bank Board's auditing practices with respect to failed thrifts under its jurisdiction.

Q.4(b) If so, who conducted the investigation. If the investigation was conducted by outside fee counsel or other private sector investigators, please indicate which attorney, law firm, accounting firm, or other contractor was responsible for the investigation.

A.4(b) As a general rule, the FDIC and the RTC both conduct investigations into failed institutions using their in-house investigations staff. The FDIC and RTC believe that, by retaining control of investigative resources, costs can be held to a minimum and incentives to engage in expensive and possibly unprofitable litigation will be minimized. Moreover, using FDIC and RTC employees to gather facts and support litigation gives the agencies consistency and accountability in recommending and bringing civil actions against individuals.

Each of the four FDIC regions is staffed with specially trained Investigations Unit personnel -- about 500 staff in total. The RTC currently employs 322 investigators and staff nationwide. It is in the process of hiring an additional 391 investigative staff members. FDIC and RTC investigators specialize in the review of a failed institution's records for the identification of all possible professional liability claims. If, on a case-by-case basis, the services of an outside contractor are necessary, that work is completed under the supervision of an in-house investigator.

Q.4(c) Did the investigation result in one or more memoranda or reports analyzing potential legal claims? When was that investigation completed?

A.4(c) It would be excessively time consuming and unproductive for the FDIC and RTC to review the case files on each failed institution to determine the exact date on which an investigation was completed. In general, an FDIC investigation commences just prior to failure of an institution. After a preliminary review of financial records, an investigator will submit a post-closing report within ninety days of failure. The purpose of this report is to determine which potential claims can be terminated and which merit further investigative resources. If a termination is recommended, written reasons for the termination must be given and approved. If, upon further investigation of a claim, a recommendation to sue is made, the investigator must prepare an "authority to sue" memorandum in conjunction with the Legal Division's Professional Liability section. That memorandum sets out the facts and analyzes the merits of the potential claims, as well as all pertinent aspects of the advisability of pursuing those claims.

As of September 30, 1990, the RTC was managing 207 thrifts under conservatorship and had resolved 286, for a total of 493 institutions. As mentioned above, each of these institutions is investigated to determine potential civil recoveries and whether criminal conduct was involved in the failure. Through September 30, 439 Preliminary Findings Reports had been completed, representing 89 percent of the total institutions. A quarterly case review process was established beginning July 1, 1990 to aid in managing the caseload and in allocating investigative resources.

Q.4(d) Did the investigation result in any estimate, preliminary or otherwise, of damages that could be claimed by the FDIC in civil litigation? If so, what was that estimate?

Q.4(e) Did the investigation result in any estimate, preliminary or otherwise, of damages that could be recovered by the FDIC from potential litigation defendants? If that estimate was arrived at through an asset search, who conducted the search?

A.4(d) & (e) Again, it would be extremely time consuming and unproductive for the FDIC and RTC to search through every case file to determine for each institution historical estimates of potential damage claims and the name of the entity that conducted an asset search. Generally, one consideration in analyzing every claim is the amount of damages caused by the culpable action, and the ability to recover any judgment obtained as a result of those damages. Damage estimates and the ability to recover are always considered by FDIC staff in "authority to sue" memorandums. Similarly, during RTC case reviews, which are conducted by investigators in conjunction with professional liability lawyers, each potential claim is weighed and the cases are prioritized according to overall importance, potential recovery, and enforcement impact.

Precise damage estimates may not always be calculated, however, if circumstances do not call for such a calculation. For example, it would be a waste of investigative resources to complete a full investigation and precise damage calculation in circumstances where no insurance coverage exists or where the responsible parties are clearly without assets. In general, the FDIC and the RTC follow a policy of only engaging in cost-effective litigation; unless sufficient assets are identified for potential recovery, litigation generally will not be pursued. Other enforcement methods may be appropriate, however, including referral to the Department of Justice for criminal prosecution or enforcement of the civil penalty provisions established by FIRREA. Also, bank regulatory agencies can take action to prohibit culpable individuals from future employment in the financial industry.

The existence of recoverable assets is determined through a special examination of all available information on the financial resources of potential defendants. The FDIC and RTC investigations staff may use outside contractors, including private investigators, on a case-by-case basis to conduct asset searches.

Q.4(f) Has a lawsuit been filed as a result of that investigation?

A.4(f) We do not maintain records that permit us to answer this question as posed by failed institution.

Since the merger of portions of the Bank Board's Office of General Counsel and the FDIC's Legal Division in the fall of 1989, the newly constituted Professional Liability Section of the FDIC's Legal Division is responsible for working with investigators in the FDIC's Division of Liquidation on commercial bank and old-FSLIC (pre-1989) thrifts and with investigators at the RTC on RTC thrifts. The Professional Liability Section coordinates with the investigators on investigations of claims against directors, officers and other professionals (attorneys, auditors, securities dealers, and appraisers) and supervises litigation of filed claims.

Over the past year, one of the Section's principal projects has been to work toward establishing a computerized database to track existing investigations and cases. Although the Section is close to having the new system up and running, the system will only cover current matters. As of the date of this response, there are pending investigations of potential claims arising out of approximately 1,400 failed banks and thrifts, and litigation of approximately 500 lawsuits. The software for the tracking system is operational, and most of the data has been entered into the system. Because of the large amount of data covered by the system, it will take several more months to clean up the database.

It is clear, however, that the FDIC and FSLIC have filed many suits against former directors, officers, and professionals arising out of banks and thrifts that have failed since 1985. While the Professional Liability Section is unable to respond as completely as it would like or in the exact form of the Committee's questions, the Professional Liability Section does have, some existing lists that are responsive to the Committee's question Q.4(f):

(a) Attachment 5(a) to this response is a letter from Chairman Seidman to Congressman Annunzio that provides some information on lawsuits filed during the period 1988-1990 against directors and officers of failed banks;

(b) Attachment 5(b) to this response is a largely, but not totally, complete list of professional liability cases pending as of May 1990; this list includes litigation arising out of banks and thrifts;

(c) Attachment 5(c) to this response is a largely, but not totally, complete list of FSLIC professional liability suits that were pending as of June 1989;

(d) Attachment 5(d) to this response is a list produced from the Professional Liability Section database described above that shows most, but not all, of the Professional Liability cases pending as of June 30, 1990. (As noted above, the database is not yet complete in every respect.)

Q.4(f)(i) Who are the defendants?

A.4(f) (i) The Professional Liability Section does not maintain data on its database according to names of defendants. Generally speaking, the defendants include former directors, officers, attorneys, law firms, accountants, audit firms, appraisers, appraisal firms, securities brokers, brokerage firms, title insurers, and escrow agents. In addition, defendants include fidelity bond carriers who provide coverage to financial institutions for losses attributable to dishonest conduct, and, in some cases, director and officer and malpractice insurers. Attachment 5(d) to this response lists many of the defendants in cases that were pending as of June 30, 1990.

Q.4(f)(ii) What bases of liability are alleged -- i.e., professional malfeasance, breach of fiduciary duty, breach of contract, civil fraud, civil RICO or civil conspiracy, etc.?

A.4(f) (ii) The Professional Liability Section does not have a list by institution that details the claims alleged in filed suits.

Generally speaking, however, the most common claims against former directors and officers are breach of fiduciary duty, negligence, and gross negligence. In a few cases, claims asserted against former directors and officers have included fraud and RICO claims. Claims asserted against professional defendants are most commonly negligence, breach of contract, and negligent misrepresentation; in a few cases against professionals, claims of aiding and abetting breach of fiduciary duty have been asserted.

Attachment 5(c) provides some detail on the types of claims asserted in FSLIC cases as of June 1989.

Q.4(f)(iii) When was the suit filed?

A.4(f) (iii) As noted above, the Professional Liability Section does not have complete historical data of the sort requested by the Committee. Attachment 5(a-c) to this request provides data on numerous cases, including the identifying civil action numbers that indicate the year in which the cases were filed.

Q.4(f)(iv) What damages are claimed in the complaint?

A.4(f) (iv) As noted above, the Professional Liability Section does not have complete historical data of the sort requested by the Committee. Attachment 5(a) provides information about the amounts of damages sought in the commercial bank professional liability cases filed in the years 1988-1990.

Q.4(g) If a lawsuit has not been filed, please indicate why not.

A.4(g) Following all failures, the FDIC, the RTC (and FSLIC in the past) investigate to determine whether the insurance funds should assert claims against directors and officers. In addition, the FDIC and RTC systematically investigate possible claims against auditors and accountants. FSLIC instructed outside counsel to bring to the agency's attention any claims against professionals that warranted suit. Claims against attorneys, appraisers and other professionals were investigated when the circumstances warranted.

Generally speaking, the instances in which no suit has been filed following the failure of a federally-insured financial institutions fall into the following categories.

(1) Investigation not yet completed: the FDIC and RTC generally have three years from failure to file suit. While every effort is made to complete investigations as expeditiously as possible, given the number of failures and the demands on investigators and agency lawyers, it may take as long as three years to complete an investigation and process the authority to close out or initiate litigation. In some instances, the agency obtains tolling agreements to extend its period of investigation and consideration beyond the statute of limitations period.

(2) Investigation indicates no basis for suit: in some instances, the agency's investigation results in a "close out" because it is determined that the financial institution failed for economic reasons unrelated to the performance of its managers and professionals.

(3) Investigation indicates that cost-effective litigation unlikely: the agency's investigation may reveal that, while there is at least actionable negligence on the part of directors and officers that meets the agency's criteria for suit, the potential defendants do not have the financial resources to respond to a judgment after litigation. The purpose of the agency's professional liability litigation is to recover money for the deposit insurance funds, not to further increase the losses attributable to any financial institution failure. While every effort is made to contain the cost of professional liability litigation, it does cost money. If a judgment is made that the agency is unlikely to recover significantly more than it is likely to spend pursuing a case, the agency closes out its investigation without suit. The FDIC has considerable experience with circumstances that effect the cost-effectiveness of its professional

liability litigation and has developed informal guidelines to measure the likelihood of cost-effective litigation. It is important to emphasize, however, that these guidelines are not applied mechanically, and the egregiousness of the actionable conduct affects determinations of the degree of the need for certainty about the cost-effectiveness of any particular piece of litigation.

(4) Settlement without suit: in a few instances, the agency is able to settle with potential defendants without suit. Such settlements, as with all formal actions on professional liability matters, must go through agency sign-off procedures.

Q.4(h)-(i) The amount of damages recovered to date through litigation or settlement and the amount of damage claims still pending. How much the FDIC, the RTC, or the Bank Board paid to outside counsel or other private sector consultants retained to investigate, litigate, or otherwise advise in connection with the investigation or litigation of claims arising out of the failed institution.

A.4(h) -(i) As noted above, the Professional Liability Section does not have historical information organized by failed institution as requested by the Committee. The Section has, however, some historical information about the annual aggregate amounts of money expended on outside counsel for professional liability matters by FSLIC and the FDIC.

FSLIC and FDIC Expenditures and Recoveries
For Professional Liability Matters
(Approximate, in millions)

	1986	1987	1988
FSLIC			
Outside Counsel Expense			
Investigations		13	21
Litigation	14	25	29
Recoveries	72	76	109

FDIC

Outside Counsel Expense			
Litigation	8	11	14
Recoveries	22	58	93

This table requires some explanation.

FSLIC investigated professional liability matters through its in-house lawyers and outside law firms, usually the same outside law firms that were hired to handle the legal aspects of the commercial side of failed thrifts, e.g., foreclosures and defensive matters. The FDIC, on the other hand (as noted above), investigates professional liability matters for the most part through its in-house investigators and lawyers. Thus, the table above shows outside counsel expense for FSLIC and no outside counsel expense for the FDIC for investigating professional liability claims. (The Professional Liability Section does not have information for FSLIC expenses for 1986 that separate out the investigation and litigation functions.)

1989 Figures: in 1989 -- the year in which the FDIC took over the thrift claims -- the FDIC and FSLIC together spent about $94 million in pursuit of professional liability claims (about $30 million of which FSLIC spent on professional liability investigations), and together they recovered about $150 million (approximately $45 million attributable to recoveries on claims arising out of commercial banks, approximately $50 million in thrift recoveries prior to August 9 when the FDIC took over responsibility for the thrift professional liability function, and another approximately $55 million on thrift claims that was recovered after August 9). The RTC recovered approximately $5 million on professional liability claims in 1989.

1990 Figures: figures for the FDIC's expenditures for outside counsel for professional liability matters for 1990 are not yet available. The Professional Liability Section does, however, have figures for recoveries through the third quarter of 1990; settlements and judgments obtained during the first three quarters of 1990 will yield approximately $110 million in cases arising from failed banks; $193 million in cases arising from failed FSLIC thrifts; and $9.9 million in cases arising from failed RTC thrifts. (There is a substantial lead time in investigating, litigating and settling professional liability matters, and the amount of the RTC recoveries reflects in large part the short time the Section has been working on RTC claims.)

Q.5 **Please indicate for each year since 1985 the total amounts paid by the FDIC, RTC, and the Bank Board to outside counsel or other private sector consultants retained to investigate, litigate, or otherwise advise in connection with the investigation or litigation of claims arising out the failed institution.**

A.5 See answer above to Q4(h)-(i).

Q.6 **How does the FDIC select outside counsel, accounting firms, and other private sector consultants to assist in investigating and litigating civil claims arising out of bank and thrift failures? What criteria are used to determine whether a particular individual or firm is appropriate for a given case?**

A.6 Selection of outside counsel: For the most part, the FDIC and the RTC do not retain outside counsel to investigate professional liability claims. Rather, they retain outside law firms when the agencies have determined after an investigation conducted with in-house investigators that they will initiate a suit. In a few cases, however, the agencies will retain counsel in connection with an investigation or before a decision to litigate. These circumstances include investigations of some claims involving lawyers (particularly where state law requires an opinion of counsel before instituting suit); investigation of some claims involving accountants, securities dealers and other specialized areas in which expertise not found in the in-house investigatory group is needed for an investigation; and where there is litigation involving the failed financial institution that was pending at the time of takeover that may have an effect on the FDIC's or RTC's potential professional liability claims, and that requires agency representation.

When a staff lawyer assigned to a matter, in consultation with his first line supervisor, determines that it is appropriate to hire outside counsel, the staff lawyer decides what firm to recommend for the matter. The staff lawyer makes his decision by consulting the Professional Liability Section's list of counsel, by discussing the issue with his supervisors and other staff lawyers who have handled litigation in the locale, and by reviewing files that are maintained on law firms on the Section's list. To the extent possible, the Professional Liability Section selects outside counsel from the locale in which the failed institution was located. The Section's law firm files are maintained by state. Once the staff lawyer makes his decision on what firm to recommend, he prepares a memorandum to the Assistant General Counsel to whom he reports setting forth his decision. Upon approval by his Assistant General Counsel, the staff lawyer forwards the approval memorandum to the Assistant General Counsel whom the Section's head has designated as the clearing point fo retention of counsel. This Assistant General Counsel, who is also responsible for maintaining the Section's list and state files, retains all outside counsel through a retention letter.

Law firms wishing to appear on the Professional Liability Section's list of counsel must first follow the FDIC/RTC procedures for certification as agency contractors. Once the law firm is certified as an agency contractor, the firm must apply to be included on the Legal Division's List of Counsel Utilized ("LCU"). Firms that have completed the application process for the Legal Division's LCU are then referred the Sections and field offices that retain counsel, including to the Professional Liability Section. The Assistant General Counsel in the Professional Liability Section that is designated as the clearing point for outside counsel then interviews firms that have expressed an interest in professional liability work and that appear to have the qualifications for such work. Qualified firms are then included on the Professional Liability Section's list. The Assistant General Counsel responsible for this work is also charged with including, to the extent possible, firms that are owned by minorities and women.

The criteria used to determine whether a particular individual or firm is appropriate for a given case are set forth in the FDIC/RTC May 1990 publication entitled "A Law Firm's Guide: How to be Considered for Retention by the FDIC and RTC" (at Attachment 6.) These criteria include reputation, experience for the particular type of work (in the case of professional liability matters, experience in director and officer litigation, insurance issues relevant to such claims, experience in litigation against professionals), ability of the firm to handle matters of the scope of the case for which counsel is sought (firm size), geographic location, rates, and lack of conflicts of interest. A copy of the Guide on Retention is attached to this response as Attachment 6; a copy of the FDIC's Guide for Legal Representation with information for firms that have been retained is attached as Attachment 7.

Selection of accounting firms and other private sector consultants: As with law firms, the selection of accounting firms and other professionals to assist in professional liability matters is the responsibility in the first instance of the staff lawyer assigned to the matter. If the accounting firm or other professional is being retained after the retention of outside counsel, the staff lawyer and outside counsel will decide together whom to recommend. This decision is discussed with the staff lawyer's first line supervisor and must be approved by the appropriate Assistant General Counsel.

Accounting firms and other professionals assisting in professional liability matters must be certified as agency contractors as discussed above. The Professional Liability Section is in the process of creating a central file on accounting firms and other professional consultants. Historically, the supervisors and senior attorneys who have retained such experts in the past have maintained informal files of the firms and experts they have previously used, contacted, and received information from.

The criteria for use of accounting firms and other professional consultants are similar to those described above with respect to lawyers and law firms.

Q.7 **Please explain the administrative system by which the RTC and FDIC exercise prosecutor discretion in investigating and prosecuting civil claims. Specifically, please indicate:**

Q.7(a) How the investigative and litigation staffs are organized.

A.7(a) Investigations Staff: Because the FDIC and the RTC investigate the circumstances surrounding the failure of every failed bank and thrift in their caseloads, the staffs are not in a position to exercise "prosecutor discretion" in the investigations area.

The FDIC Division of Liquidation's Investigative Units are organized on a regional basis. Each of the four DOL Regions has a Supervisory Liquidation Specialist (Investigations) who is responsible for implementation of the investigations work in that region. Each consolidated field office within the region has a staff of investigators organized into one or more units which are responsible for executing the actual investigative work. The FDIC employs about 500 staff nationwide in the Investigative units.

The RTC's Washington Office of Investigations oversees and coordinates RTC's nationwide investigative program. Investigators are organized into departments and are assigned to the 14 consolidated field offices. They report to an Assistant Director for Investigations in each field office. Senior Investigations Specialists in the regional offices oversee the field investigators and provide policy guidance, training, and investigative support. Currently, the RTC employs 322 investigators and staff nationwide. It is in the process of filling 391 additional positions in the investigative program.

Litigation staff: As noted above, the litigation staff responsible for claims against former directors, officers and other professionals of failed financial institutions is the Professional Liability Section of the Litigation Branch of the FDIC's Legal Division.

The Litigation Branch is headed by a Deputy General Counsel. The Professional Liability Section is currently staffed with 80 lawyers headed by an Associate General Counsel. Three Assistant General Counsels report to the Associate General Counsel.

[illegible] of the date of this response, one Assistant General Counsel supervises three teams of lawyers who work exclusively on investigations and litigation arising out of RTC thrifts; two of these teams are located in Washington, D.C., and one is located in Dallas, Texas. The other two Assistant General Counsels supervise teams that do "Non-RTC" work -- investigations and claims arising out of "old FSLIC" thrifts (thrifts that failed before 1989) and out of failed commercial banks. One of the Non-RTC Assistant General Counsels supervises four teams located in Washington, D.C. and the other Non-RTC Assistant General Counsel supervises two teams in Washington, D.C., and one team in Dallas, Texas. Each of the ten teams is headed by a Senior Counsel who functions as first line supervisor or "team leader." The size of the teams is generally seven lawyers including the team leader. Each team has at least two secretaries and two paralegals to support its work.

Assignments in the Section are made based on failed institutions. One staff attorney is assigned to handle all the potential claims arising out of a failed institution. When the Professional Liability Section was constituted in the fall of 1989 after the merger of the FDIC's Legal Division and parts of the Office of General Counsel of the Federal Home Loan Bank Board, it was necessary to reassign a large number of matters due to the separation of RTC and Non-RTC work, the reassignment of cases previously handled by lawyers who became supervisors in the new Section, and the reassignment of a number of FDIC and Bank Board lawyers who had previously done professional liability work. To the extent possible, lawyers in the new Section continued to handle matters arising from the institutions that they had handled before the merger of the staffs. The Section has made reassignments and new assignments along geographic lines; given Professional Liability teams are affiliated with Division of Liquidation and RTC Consolidated Field Offices in which the investigators are located. Most of the supervisors and staff attorneys in the RTC and Non-RTC teams located in Dallas, although hired for their litigation experience, had not previously done professional liability work for either the FDIC or the Bank Board. For that reason and in light of the learning curve associated with the Section's work, assignments to the Dallas teams included for the most part smaller failed institutions. Each of the Washington, D.C. teams handles matters arising out of failed institutions assigned to Consolidated Field Offices around the country with which their team is affiliated, including at least one Consolidated Field Office in Texas.

Q.7(b) What degree of authority or discretion resides [at] each level of the organization? For example, who must approve initiation of an investigation? Who must approve initiation of a lawsuit? Who must approve the filing of significant motions? Who must approve settlements?

A.7(b) To the largest extent possible, except for certain specified actions discussed above and mentioned below, responsibility, authority and discretion with respect to investigations and litigation resides with the staff attorney and is exercised by the staff attorney in consultation with his first line supervisor, the Senior Counsel or team leader. Staff lawyers and team leaders regularly consult, however, with their Assistant General Counsels and the Associate General Counsel about matters of particular significance. In addition, the Division of Liquidation's Investigations Unit is involved in the decision making process.

Initiation of an investigation: Professional liability claims are investigated with respect to all failed financial institutions, and there is thus no discretion exercised with respect to the initiation of an investigation.

Initiation of a lawsuit: Approval to initiate litigation of claims against directors, officers and professionals of failed financial institutions must be obtained from the Deputy to the Chairman of the Federal Deposit Insurance Corporation with the concurrence of: the General Counsel, the Deputy General Counsel for the Litigation Branch, and either the Associate Director of the Division of Liquidation or the the RTC's Director of Resolutions and Operations. Before forwarding to these officials, "authorization to sue" memoranda prepared by staff attorneys are reviewed in the Section by the staff attorney's Senior Counsel, Assistant General Counsel, and by the Associate General Counsel.

Filing of Significant Motions: The responsibility and authority for decisions to file motions in existing litigation lies with the Section's staff attorney and outside counsel. With respect to significant motions, the staff attorney consults with his Senior Counsel/team leader and his Assistant General Counsel. In matters of extreme sensitivity, the Associate General Counsel and in some cases the Deputy General Counsel are consulted.

Settlements: Authority to approve settlements depends on the amount of the settlement, the amount of the claim, and the amount of available insurance coverage. Settlements of less than $2 million in which both the claim and available insurance coverage are $4 million or less must be reviewed by the Regional Director of the Division of Liquidation of the FDIC or the RTC, as appropriate. They must be approved by the appropriate Assistant General Counsel and either the Associate Director of the FDIC's Division of Liquidation or the RTC's Director of Resolutions and Operations. If either the claim or the available insurance exceeds $4 million, the Associate General Counsel must approve. Settlements of $2-15 million require approval of the Deputy General Counsel. Settlements above $15 million must be approved by the General Counsel and the Chairman. With respect to RTC claims, approval of the General Counsel and the Chairman are required on all settlements where the claim exceeds $50 million.

Q.7(c) **What degree of authority or discretion is delegated to outside counsel or other professionals retained in connection with the investigation or litigation of civil claims? What decisions are such outside professionals authorized to make? What decisions must be made by the FDIC or RTC?**

A.7(c) The FDIC's Guide for Legal Representation (Attachment 7) states that it "is the FDIC's policy that attorneys in the Legal Division should always be responsible for managing any legal assignment or litigation, even though a matter has been referred to outside counsel." It follows therefore that outside counsel must clear all major strategic decisions with the FDIC's staff lawyer. Staff lawyers review all major pleadings in advance, and particularly important pleadings are reviewed by the staff attorney's supervisors.

As noted above, decisions on whether to institute suit, settle claims, and close investigations are made by FDIC/RTC staff and managers, and not by outside counsel.

Q.8 **What policies or procedures exist to ensure that similar cases are treated similarly with respect to the exercise of discretion by the FDIC and RTC over whether to investigate, litigate, and settle potential claims? Please supply copies of any written policy or procedure statements or manuals designed to ensure such consistency. How are such policies and procedures communicated within the FDIC and the RTC? How are such policies and procedures communicated to outside counsel and other professionals retained in connection with the investigation or litigation of civil claims?**

A.8 The policy requiring that professional liability claims are investigated in the case of all failed financial institutions ensures consistency with respect to initiation of investigations. As a general rule, FDIC and RTC investigations are handled in-house. The Assistant Director (Investigations) for the FDIC's Division of Liquidation is charged with ensuring that uniform policies and procedures are established and maintained throughout the four DOL Regions. This includes the production of procedural manuals and standardized training. Similar authority rests with the RTC's Assistant Director for Investigations. These practices, together with consistent initiation and execution of investigations, assures uniform standards to the extent possible.

The Professional Liability Section provides periodic training and review in the elements of professional liability claims. In addition, the Associate General Counsel who heads the Professional Liability Section reviews all memoranda seeking authorization to bring litigation against directors, officers and other professionals of failed financial institutions before they are sent up through the chain of command to the Deputy to the Chairman. This procedure and the involvement of a small group of senior agency officials in all such decisions ensure that similar cases are treated similarly.

Also, the requirement that all large settlements receive the approval of at least the Associate General Counsel ensures consistency with respect to settlements. The smaller settlements -- those involving settlements of less than $2 million and claims and insurance of $4 million or less --are approved by one of the three Assistant General Counsels, but their involvement in large numbers of settlements at levels in excess of their authority assures that they are well-versed in the criteria applied by more senior officials. Further, the same senior individuals in the FDIC's Division of Liquidation and the RTC are involved in every settlement.

The Professional Liability Section's Procedure Manual is distributed to all lawyers and paralegals in the Professional Liability Section. Furthermore, as noted above, the Guide to Legal Representation makes clear to outside counsel that ultimate control of all litigation is retained in the FDIC's staff attorneys who are well-versed in these procedures (see Attachment 7).

Q.9 **Do the procedures that in-house or outside attorneys or investigators must follow in connection with investigating a potential claim or recommending that a suit be filed differ at all depending on the type of defendant involved? For example, would an attorney investigating a potential claim against a law firm have to take any steps prior to**

recommending initiation of such a suit that might not be required of an attorney investigating, say, a potential claim against an officer or director?

A.9 The procedures do not differ materially depending on the type of potential defendant. However, in the case of claims against attorneys, audit firms and other professionals, we commonly consult potential experts, or law firms with special expertise in the area, before deciding whether malpractice can be proved. (Indeed, such consultation is required in some jurisdictions before a malpractice claim can be filed.) Further, we are likely to engage in more lengthy discussions with the potential defendants before bringing suit because the issues in such suits are less well developed and because of the need to state precisely for the FDIC officials with authority to approve such suits the position of the potential professional defendants with respect to our claims.

Q.10 Please indicate what steps the FDIC or RTC follow in determining whether a potential defendant has assets that could be recovered through litigation. Under what circumstances do the FDIC and RTC authorize the retention of private investigators to assist in such asset-tracing?

A.10 As discussed in the answer to question #4, the existence of assets is determined through a special examination of all available information on the financial resources of potential defendants. FDIC and RTC investigators review available written materials, contact appropriate authorities, and interview individuals -- including former bank or thrift employees -- who may have knowledge about the existence and whereabouts of assets. Private investigators are hired on a case-by-case basis to assist in asset tracking.

The FDIC and RTC plan to retain private investigators in conjunction with criminal restitution work. Such individuals may be hired for pre- or post-conviction asset searches in order to maximize financial recoveries through the imposition and enforcement of substantial restitution orders in the criminal sentencing process.

ATTACHMENT 1 (a)

THRIFTS CHARTERED IN 1980 *

	Institution	City	State
1.	Palm Springs Savings Bank	Palm Springs	California
2.	Washington Savings and Loan Association	Stockton	
3.	Inland Savings and Loan Association	Hemet	
4.	Huntington Savings and Loan Association	Huntington Beach	
5.	Lake Savings and Loan Association	Lakeport	
6.	Standard Savings Bank	Los Angeles	
7.	Sentinel Savings and Loan Association	Sonora	
8.	North Coast Savings and Loan Association	Napa	
9.	Brookside Savings and Loan Association	Los Angeles	
10.	La Cumbre Savings Bank	Santa Barbara	
11.	The Guardian Federal Savings and Loan Assoc.	Bakersfield	
12.	Cabrillo Savings Bank	San Jose	
13.	First Summit Savings and Loan Association	Breckenridge	Colorado
14.	Security Savings and Loan Association	Waterbury	Connecticut
15.	Brickellbanc Savings Association	Miami	Florida
16.	Sunrise Savings and Loan Association	Lake Worth	
17.	Lincoln Savings and Loan Association	Miami	
18.	Firstate Financial, A Savings Bank	Orlando	
19.	Marine Savings and Loan Association	Naples	
20.	Ponce De Leon Federal Savings and Loan Assoc.	Coral Gables	
21.	South Florida Savings Bank	Miami	
22.	American Pioneer Savings Bank	Orlando	
23.	International Savings and Loan Association	North Miami Beach	
24.	Alliance Federal Savings and Loan Assoc.	Kenner	Louisiana
25.	Community Savings and Loan Association	Baton Rouge	
26.	Northlake Federal Savings and Loan Assoc.	Covington	
27.	Family Federal Savings and Loan Association	Shreveport	
28.	Baltimore Savings and Loan Association	Pikesville	Maryland
29.	Lakewood Savings and Loan Association	Boyne City	Michigan
30.	Central State Savings and Loan Association	Mount Clemens	
31.	Montana Savings and Loan Association	Kalispell	Montana
32.	Preferred Savings and Loan Association	High Point	North Carolina
33.	Collierville Savings and Loan Association	Collierville	Tennessee
34.	Ranchers Savings Association	Johnson City	Texas
35.	Palo Duro Savings and Loan Association	Amarillo	

* Data Obtained by the Federal Deposit Insurance Corporation from the Office of Thrift Supervision.

THRIFTS CHARTERED IN 1980 (cont.)

36.	Caprock Savings and Loan Association	Lubbock	Texas
37.	Spindletop Savings Association	Beaumount	
38.	Alliance Savings and Loan Association	Houston	
39.	Security Savings and Loan Association	Hayes	Virginia
40.	Standard Savings and Loan Association	Grundy	
41.	Virginia Savings Bank	Front Royal	
42.	Eastern Washington Savings and Loan Assoc.	East Wenatchee	Washington
43.	Range Savings and Loan Association	Hurley	Wisconsin

ATTACHMENT 1 (b)

THRIFTS CHARTERED IN 1981 *

	Institution	City	State
1.	Royal Oak Savings and Loan Association	Manteca	California
2.	Malibu Savings Bank	Malibu	
3.	Amador Valley Savings and Loan Association	Pleasanton	
4.	Equitec Savings Bank	Oakland	
5.	Delta Savings Bank	Westminster	
6.	Tracy Savings and Loan Association	Tracy	
7.	Butte Savings and Loan Association	Chico	
8.	Signal Savings and Loan Association	Signal Hill	
9.	South Bay Savings and Loan Association	Gardena	
10.	Newamerica Savings Bank	Camarillo	
11.	Liberty Savings and Loan Association	Huntington Park	
12.	Western Empire Savings and Loan Association	Yorba Linda	
13.	Secure Savings and Loan Association	Fontana	
14.	First Security Savings and Loan Association	Grand Junction	Colorado
15.	First Presidential Savings and Loan	Sarasota	Florida
16.	Commonwealth Savings and Loan Association	Margate	
17.	Fort Brooke Savings Bank	Tampa	
18.	First Venice Savings and Loan Association	Venice	
19.	Community Savings Bank	Jacksonville	
20.	First Union Savings and Loan Association	Fort Pierce	
21.	Tropical Federal Savings and Loan Association	Miami	
22.	Cypress Savings Association	Plantation	
23.	Worth Federal Savings and Loan Association	Sylvester	Georgia
24.	Evangeline Federal Savings and Loan	Lafayette	Louisiana
25.	Oak Tree Savings Bank	New Orleans	
26.	First City Savings and Loan Association	Baton Rouge	
27.	Viking Savings Association, FA	Alexandria	Minnesota
28.	Midfirst Savings and Loan Association	Oklahoma City	Oklahoma
29.	Skyline Savings Association	Dallas	Texas
30.	Petroplex Savings Association	Midland	
31.	Guaranty Savings and Loan Association	Charlottesville	Virginia
32.	Summit Savings Association	Bellevue	Washington
33.	Sterling Savings Association	Spokane	

* Data Obtained by the Federal Deposit Insurance Corporation from the Office of Thrift Supervision.

ATTACHMENT 1 (c)

THRIFTS CHARTERED IN 1982 *

	Institution	City	State
1.	Unified Savings Bank	Northridge	California
2.	Saratoga Savings and Loan Association	San Jose	
3.	Sutter Buttes Savings and Loan Association	Yuba City	
4.	Los Padres Savings Bank	Solvang	
5.	Great Pacific Savings and Loan Association	Pacifica	
6.	Western Community Savings and Loan Assoc.	El Cerrito	
7.	Rancho Bernardo Savings Bank	San Diego	
8.	Luther Burbank Savings and Loan Association	Santa Rosa	
9.	Perpetual Savings Bank	Los Angeles	
10.	Wilshire Savings and Loan Association	Los Angeles	
11.	City Savings and Loan Association	Westlake Village	
12.	Executive Savings and Loan Association	Marina Del Rey	
13.	Summit Savings and Loan Association	Rohnert Park	
14.	Manhattan Beach Savings and Loan Association	Manhattan Beach	
15.	Anchor Savings Bank	St. Petersburg	Florida
16.	Metropolitan Federal Savings and Loan	Hialeah	
17.	Liberty Savings and Loan Association	New Port Richey	
18.	Colonial Savings and Loan Association	Ocala	
19.	Central Savings and Loan Association	Stuart	
20.	Bayou Federal Savings and Loan Association	New Orleans	Louisiana
21.	Bloomfield Savings and Loan Association	Birmingham	Michigan
22.	Atlantic Financial Savings	Las Vegas	Nevada
23.	Territory Savings and Loan Association	Seminole	Oklahoma
24.	American Home Savings and Loan Association	Edmond	
25.	Windsor Savings Association	Austin	Texas
26.	Preston Savings and Loan	Dallas	

* Data Obtained by the Federal Deposit Insurance Corporation from the Office of Thrift Supervision.

Attachment 2

Estimated Cost of Failure of Thrift Institutions under the Resolution Trust Corporation's Jurisdiction

(in 000's)

	Institution (as of November 20, 1990)	Cost of Payout Cost of Resolution* Savings
1.	Washington Savings & Loan Association, Stockton, California	4653 4653* 0
2.	Hungtington Federal Savings & Loan Association, Huntington Beach, California	5964 4464 1500
3.	The Guardian Federal Savings & Loan Association, Bakersfield, California	18727 18726 1
4.	Cabrillo Federal Savings Bank, San Jose, California	2129 2025 104
5.	Brickellbanc Savings Association, Miami, Florida	12073 12073 0
6.	Lincoln Savings & Loan Association, Miami, Florida	59418 59418 0
7.	American Pioneer Federal Savings Bank, Orlando, Florida	In Conservatorship
8.	Family Federal Savings & Loan Association, Shreveport, Louisiana	15122 15122 0
9.	International Federal Savings & Loan Association, North Miami, Florida	In Conservatorship

* This figure, for each institution, represents the estimated cost of the failure of that institution and is compares with the cost of paying off the institution. Savings over the cost of a payoff are listed as the last figure in each group.

10.	Palo Duro Federal Savings & Loan Association, Amarillo, Texas	In Conservatorship
11.	Caprock Federal Savings & Loan Association Lubbock, Texas	298994 298994 0
12.	Spindletop Savings Association Beaumont, Texas	250078 250078 0
13.	Royal Oak Saving & Loan Association Manteca, California	2751 2751 0
14.	Western Empire Federal Savings & Loan Association, Irvine, California	24150 24049 101
15.	Commonwealth Federal Savings Association, Margate, Florida	In Conservatorship
16.	First Venice Savings & Loan Association, Venice, Florida	7094 5339 1755
17.	Evangeline Federal Savings & Loan Association, Lafayette, Louisiana	61862 61632 230
18.	First City Federal Savings & Loan Assoication Baton Rouge, Louisiana	8798 8654 144
19.	Unified Savings Federal Savings & Loan Association, Northridge, California	24628 24628 0
20.	Saratoga Savings & Loan Association, San Jose, California	11133 11133 0
21.	Perpetual Savings Association, Santa Ana, California	11910 11895 15
22.	Wilshire Savings & Loan Association, Los Angeles, California	2781 2781 0
23.	City Savings & Loan Association, Westlake Village, California	3676 3424 252

24.	Liberty Federal Savings & Loan Association, New Port Richey, Florida	39408 38308 1100
25.	American Home Savings & Loan Association, Edmond, Oklahoma	19692 19390 302
26.	Windsor Federal Savings Association, Austin, Texas	In Conservatorship

Estimated Cost of Failure of Thrift Institutions under the FSLIC Resolution Fund's Jurisdiction

1. Sunrise Savings & Loan Association, Lake Worth, FL - Estimated Loss to the FRF is $475,336,555.
2. Alliance Federal Savings & Loan Association, Kenner, LA - Estimated Loss to the FRF is $129,415,853.
3. Community Savings & Loan Association, Baton Rouge, LA - Estimated Loss to the FRF is $38,392,033.
4. Northlake Savings & Loan Association, Covington, LA - Estimated Loss to FRF is $106,343,142.
5. Montana Savings & Loan Association, Kalispell, MT - Estimated Loss to the FRF is $5,425,000.
6. Signal Savings & Loan Association, Signal Hill, CA - Estimated Loss to the FRF is $22,571,000.
7. Cypress Savings Association, Plantation, FL - Estimated Loss to the FRF is $102,402,398.
8. Western Community Savings & Loan Association, El Cerrito, CA - Estimated Loss to the FRF is $11,294,000.
9. Manhattan Beach Savings & Loan Association, Manhattan Beach, CA - Estimated Loss to the FRF is $27,963,000.
10. Territory Savings & Loan Association, Seminole, OK - Estimated Loss to the FRF is $54,760,000.

Estimated Cost of Failure of Thrift Institutions Resolved with FSLIC Assistance

	Institution/Location	Date	PV Cost	Nom. Cost
1.	South Florida Savings Bank Miami, Florida	12/14/88	$ 29.0	$ 29.0

2.	Ranchers Savings Association Johnson City, Texas	12/19/88	$ G/C*	$ G/C*
3.	Alliance Savings & Loan Association Houston, Texas	05/13/88	$ 146.2	$ 237.2
4.	Eastern Washington Savings & Loan Association E. Wenatchee, Washington	12/14/88	$ 2.0	$ 2.0
5.	South Bay Savings & Loan Association Gardena, California	03/06/87	$ 4.6	$ 5.0
6.	First Security Savings & Loan Association Grand Junction, Colorado	03/09/87	$ 0.0	$ 0.0
7.	Tropical Federal Savings & Loan Association Miami, Florida	04/13/89	$ 12.0	$ 12.1
8.	Skyline Savings Association Dallas, Texas	08/18/88	$ G/C*	$ G/C*
9.	Petroplex Savings Association Midland, Texas	10/13/88	$ G/C*	$ G/C*
10.	Bayou Federal Savings & Loan Association New Orleans, Louisiana	03/09/87	$ 12.4	$ 10.0
11.	Bloomfield Savings & Loan Association Birmingham, Michigan	12/16/88	$ 118.3	$ 256.3

Single Thrift Institution in OTS Conservatorship

Metropolitan Federal Savings & Loan Association
Hialeah, Florida

Institutions No Longer In Existence, But Resolved Without Federal Financial Assistance

Institution/Location

1. First Summit Savings & Loan Association
   Breckenridge, Colorado

2. Marine Savings & Loan Association
   Naples, Florida

3. Lakewood Savings & Loan Association
   Boyne City, Michigan

4. Central State Savings & Loan Association
   Mount Clemens, Michigan

5. Collierville Savings & Loan Association
   Collierville, Tennessee

6. Security Savings & Loan Association
Hayes, Virginia

7. Standard Savings & Loan Association
Grundy, Virginia

8. Range Savings & Loan Association
Hurley, Wisconsin

9. 1st Presidential Saving & Loan Association
Sarasota, Florida

10. First Union Savings & Loan Association
Fort Pierce, Florida

11. Colonial Savings & Loan Association
Ocala, Florida

12. North Coast Savings & Loan Association
Napa, California

ATTACHMENT 3

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1985

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets (000's)	Total Deposits (000's)	FDIC Disbursements (000's)	Date of Closing, Deposit Assumption, or Merger	Receiver, Assuming Bank, Transferee Bank, or Merging Bank
Deposit Payoffs							
Citizens State Bank Edgerton, Wyoming	NM	1,804	2,546	2,504	1,963	January 4, 1985	Federal Deposit Insurance Corporation
State Bank of Dannebrog Dannebrog, Nebraska	NM	1,377	4,259	3,769	3,367	January 7, 1985	Federal Deposit Insurance Corporation
State Bank of Alexandria Alexandria, Nebraska	NM	451	2,563	2,437	2,364	April 10, 1985	Federal Deposit Insurance Corporation
First Enterprise Bank Oakland, California	NM	3,497	26,869	22,388	19,945	April 26, 1985	Federal Deposit Insurance Corporation
Scroggin and Company Bank* Oak, Nebraska	SM	710	3,236	2,907	2,666	May 31, 1985	Federal Deposit Insurance Corporation
Fairfield State Bank* Fairfield, Nebraska	NM	1,539	6,650	5,894	5,156	May 31, 1985	Federal Deposit Insurance Corporation
Farmers State Bank of Dexter Dexter, Kansas	SM	1,040	3,902	3,838	2,640	June 20, 1985	Federal Deposit Insurance Corporation
Crossroads State Bank Oklahoma City, Oklahoma	NM	1,780	16,783	16,204	14,746	July 11, 1985	Federal Deposit Insurance Corporation
First National Bank of Darrouzett Darrouzett, Texas	N	976	11,567	11,493	9,973	July 18, 1985	Federal Deposit Insurance Corporation
State Bank of Herndon Herndon, Kansas	NM	1,197	6,064	5,574	4,870	August 14, 1985	Federal Deposit Insurance Corporation
The Bank of Bronson Bronson, Kansas	NM	2,320	9,125	8,829	7,252	August 23, 1985	Federal Deposit Insurance Corporation
Bank of Clifton Clifton, Colorado	SM	2,697	10,341	10,067	9,069	September 6, 1985	Federal Deposit Insurance Corporation
Elba State Bank Elba, Nebraska	NM	1,183	4,108	3,601	3,417	September 18, 1985	Federal Deposit Insurance Corporation
The Sedan State Bank Sedan, Kansas	NM	4,471	27,384	25,818	22,898	September 25, 1985	Federal Deposit Insurance Corporation
First National Bank in Terral Terral, Oklahoma	N	427	3,399	3,143	2,838	September 27, 1985	Federal Deposit Insurance Corporation
Yellowstone State Bank* Lander, Wyoming	SM	3,100	19,051	19,408	18,893	November 1, 1985	Federal Deposit Insurance Corporation
First National Bank of Teague* Teague, Texas	N	3,139	28,364	26,155	24,166	November 14, 1985	Federal Deposit Insurance Corporation
The Farmers and Merchants State Bank of Rush County La Crosse, Kansas	SM	4,191	32,060	28,308	24,896	November 21, 1985	Federal Deposit Insurance Corporation
Security State Bank Broken Bow, Nebraska	NM	1,318	7,298	6,854	6,854	December 5, 1985	Federal Deposit Insurance Corporation
The Farmers and Merchants National Bank of Hennessey Hennessey, Oklahoma	N	4,012	27,677	26,349	24,433	December 5, 1985	Federal Deposit Insurance Corporation
Farmers and Merchants Bank Comstock, Nebraska	NM	791	3,305	3,199	3,194	December 19, 1985	Federal Deposit Insurance Corporation
Princeton State Bank Princeton, Missouri	NM	4,817	17,814	16,808	15,753	December 19, 1985	Federal Deposit Insurance Corporation

*Dividend advanced by FDIC

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1985

Name and Location	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, or Merger	Receiver, Assuming Bank, Transferee Bank, or Merging Bank
Deposit Transfers to Operating Banks							
Peoples Bank & Trust Co. Wartburg, Tennessee	NM	5,299	26,727	28,389	18,842	February 8, 1985	Citizens Bank and Trust Co. Wartburg, Tennessee
Citizens State Bank of Fulda Fulda, Minnesota	NM	7,984	36,988	35,697	34,391	February 15, 1985	Fulda State Bank Fulda, Minnesota
First Trust Bank of Lakefield Lakefield, Minnesota	NM	3,790	22,445	20,371	19,325	May 31, 1985	Fulda State Bank Fulda, Minnesota
Strang's Bank Dodgeville, Wisconsin	NM	8,280	38,322	30,800	29,285	June 14, 1985	M & I Bank of Dodgeville Dodgeville, Wisconsin
Golden Pacific National Bank New York, New York	N	19,891	166,109	151,497	133,407	June 21, 1985	The Hong Kong & Shanghai Banking Corporation New York, New York
Park West Bank, N.A.* Farmers Branch, Texas	N	1,637	18,318	16,444	15,663	August 15, 1985	Park West State Bank Farmers Branch, Texas
Peoples National Bank of Rockland County Monsey, New York	N	6,472	21,412	18,673	16,135	September 13, 1985	First National Bank of Highland Highland, New York
Deposit Assumptions							
Coast Community Bank Harbor, Oregon	NM	2,751	8,605	8,233	6,185	January 11, 1985	Security Bank of Coos County Myrtle Point, Oregon
First National Bank in Marlow Marlow, Oklahoma	N	1,929	26,200	25,728	14,907	January 24, 1986	First National Bank in Marlow Marlow, Oklahoma
First National Bank in Clarksville Clarksville, Texas	N	4,057	27,771	28,197	17,723	January 24, 1985	Citizens Bank Clarksville, Texas
The Steele State Bank Cherokee, Iowa	NM	5,274	18,444	16,954	11,310	January 25, 1985	Valley Bank & Trust Cherokee, Iowa
Citizens Fidelity Bank Bristol, Tennessee	NM	3,872	18,550	14,608	11,531	February 1, 1985	Energy Bank Oak Ridge, Tennessee
The First National Bank of Woodbine Woodbine, Iowa	N	6,480	24,772	24,858	16,955	February 7, 1985	Iowa Savings Bank Woodbine, Iowa
Farmers National Bank of Erick Erick, Oklahoma	N	1,187	17,224	15,807	7,757	February 7, 1985	First American Bank Erick, Oklahoma
West Valley Bank Woodland Hills, California	SM	2,700	36,653	32,252	31,757	February 8, 1985	First Interstate Bank, LTD Woodland Hills, California
First National Bank in Eads Eads, Colorado	N	2,285	16,066	14,816	11,869	February 14, 1985	The Omnibank, Kiowa County, N.A. Eads, Colorado
The Inwood State Bank Inwood, Iowa	NM	1,600	6,549	6,325	3,974	February 19, 1985	Security Savings Bank Larchwood, Iowa
Halifax National Bank of Port Orange Port Orange, Florida	N	10,817	36,242	35,457	14,686	March 1, 1985	Barnett Bank of Volusia County Deland, Florida
Citizens State Bank Arapahoe, Nebraska	NM	3,804	14,753	13,492	7,779	March 8, 1985	Farmers & Merchants Bank Edison, Nebraska
The Commercial State Bank Afton, Iowa	NM	3,750	15,865	15,321	11,436	March 8, 1985	Citizens Savings Bank Afton, Iowa

*Dividend advanced by FDIC

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1985

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets (000's)	Total Deposits (000's)	FDIC Disbursements (000's)	Date of Closing, Deposit Assumption, or Merger	Receiver, Assuming Bank, Transferee Bank, or Merging Bank
The Taylor State Bank Emington, Illinois	NM	1,150	4,567	4,438	2,944	March 15, 1985	The First National Bank of Dwight Dwight, Illinois
Golden Valley Bank Turlock, California	NM	16,442	72,133	65,825	47,151	March 22, 1985	Farmers & Merchants Bank of Central California Lodi, California
Fidelity Bank of Denver Denver, Colorado	SM	3,400	43,521	27,888	36,770	March 29, 1985	American Bank of Commerce Denver, Colorado
Bank of Hunter Hunter, Oklahoma	NM	465	2,691	2,770	1,969	April 4, 1985	First National Bank in Tonkawa Tonkawa, Oklahoma
Capistrano National Bank Santa Ana, California	N	8,411	44,863	37,965	35,641	April 5, 1985	Farmers & Merchants Bank of Long Beach Long Beach, California
First State Bank of Elgin Elgin, Oregon	NM	5,954	17,296	15,035	12,734	April 12, 1985	U.S. National Bank of Oregon Portland, Oregon
South Coast Bank Costa Mesa, California	SM	5,500	30,382	24,656	19,134	April 12, 1985	Harbor Bank Long Beach, California
Peoples National Bank of Lampasas Lampasas, Texas	N	4,641	30,999	32,659	14,627	April 18, 1985	United Peoples Bank Lampasas, Texas
First National Bank of Springfield Springfield, Colorado	N	2,500	15,196	13,120	9,124	April 18, 1985	Boca State Bank Springfield, Colorado
Peoples State Bank Odebolt, Iowa	NM	3,100	13,261	12,501	8,431	April 26, 1985	Peoples Savings Bank Odebolt, Iowa
The Bank of Commerce Chanute, Kansas	NM	12,500	65,293	61,559	36,480	May 2, 1985	Bank of Commerce Chanute, Kansas
Farmers Savings Bank Massena, Iowa	NM	2,800	15,013	14,787	14,442	May 3, 1985	Union National Bank Massena, Iowa
Farmers State Bank St. Joseph, Missouri	NM	15,640	46,848	46,342	29,157	May 3, 1985	Farmers' State Bank of Buchanan County St. Joseph, Missouri
Story County State Bank Story City, Iowa	NM	6,500	13,727	31,554	17,900	May 9, 1985	Story County Bank & Trust Co. Story City, Iowa
Bank of Newcastle Newcastle, Oklahoma	NM	6,775	31,330	26,713	21,576	May 16, 1985	Allied Oklahoma Bank, N.A. Oklahoma City, Oklahoma
The Energy Bank, N.A. Dallas, Texas	N	2,953	26,882	23,649	17,477	May 16, 1985	Oak Bank & Trust Co Dallas, Texas
Northwest Bank White Settlement, Texas	NM	11,708	49,674	46,851	27,207	May 23, 1985	Landmark Bank-Northwest White Settlement, Texas
Bank of Taylor Taylor, Nebraska	NM	3,955	13,828	12,242	9,644	May 31, 1985	Union Bank & Trust Co Lincoln, Nebraska
Bank of Lockesburg Lockesburg, Arkansas	NM	3,125	25,866	23,165	15,162	May 31, 1985	Bank of Lockesburg Lockesburg, Arkansas
Security State Bank Edgar, Nebraska	NM	1,540	6,159	5,645	4,592	May 31, 1985	Guide Rock State Bank Guide Rock, Nebraska
American National Bank of Riverton Riverton, Wyoming	N	8,436	34,130	36,121	19,908	June 11, 1985	First Wyoming Bank, N.A.-Riverton Riverton, Wyoming
The First State Bank Edna, Kansas	NM	1,885	8,373	8,206	5,036	June 13, 1985	First State Bank of Edna Edna, Kansas
Swift County Bank Benson, Minnesota	NM	8,363	39,405	37,216	22,568	June 14, 1985	First Security State Bank of Sleepy Eye Benson, Minnesota

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1985

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets (000's)	Total Deposits (000's)	FDIC Disbursements (000's)	Date of Closing, Deposit Assumption, or Merger	Receiver, Assuming Bank, Transferee Bank, or Merging Bank
Urbana Savings Bank Urbana, Iowa	NM	3,299	6,977	6,320	2,363	June 21, 1985	Peoples Bank & Trust Co. Cedar Rapids, Iowa
First City Bank, N.A. Oklahoma City, Oklahoma	N	5,619	87,480	84,017	58,331	June 21, 1985	City Bank & Trust Co. Oklahoma City, Oklahoma
First Bank & Trust Tracy City, Tennessee	NM	5,390	21,792	20,383	10,867	June 28, 1985	First National Bank of Shelbyville Shelbyville, Tennessee
The Madison Bank Madison, Kansas	NM	1,733	9,294	8,598	3,263	July 2, 1985	The First National Bank of Madison Madison, Kansas
The First National Bank of Jacksonville Jacksonville, Alabama	N	13,392	41,896	38,376	14,377	July 5, 1985	AmSouth Bank of Jacksonville Jacksonville, Alabama
Eskridge State Bank Eskridge, Kansas	NM	1,990	9,937	9,280	6,708	July 18, 1985	Flint Hill Bank of Eskridge Eskridge, Kansas
Gilpin County Bank Black Hawk, Colorado	SM	1,493	3,619	3,384	1,016	July 19, 1985	First Interstate Bank of Golden, N.A. Golden, Colorado
Linn County State Bank Linneus, Missouri	NM	1,226	5,120	5,156	3,095	July 19, 1985	United Missouri Bank of Linn County Linneus, Missouri
The First National Bank of Onaga Onaga, Kansas	N	10,880	19,656	19,638	5,152	July 23, 1985	First National Bank of Onaga Onaga, Kansas
First National Bank of Glenrock Glenrock, Wyoming	N	3,705	17,055	16,674	9,499	July 23, 1985	National Bank of Glenrock Glenrock, Wyoming
Kansas American Bank Overland Park, Kansas	NM	4,551	26,361	24,250	12,397	July 25, 1985	MidAmerican Bank & Trust Co. of Overland Park Overland Park, Kansas
Citizens State Bank of El Dorado El Dorado, Kansas	NM	5,453	25,675	24,243	2,863	July 25, 1985	National Bank of El Dorado El Dorado, Kansas
[illegible] National Bank of Houston Houston, Texas	N	6,161	18,916	16,790	16,647	August 1, 1985	Peoples Bank, N.A. Houston, Texas
Farmers State Bank Rising City, Nebraska	NM	2,791	12,177	11,678	7,341	August 2, 1985	Union Bank & Trust Co. Lincoln, Nebraska
Farmers State Bank of Round Lake Round Lake, Minnesota	NM	4,373	22,249	20,683	9,934	August 2, 1985	Farmers State Bank of Mountain Lake Mountain Lake, Minnesota
Mineola State Bank Mineola, Iowa	NM	1,549	5,086	[illegible]	1,265	August 6, 1985	Glenwood State Bank Glenwood, Iowa
Security Bank & Trust Co Midwest City, Oklahoma	NM	7,884	29,535	28,510	7,550	August 8, 1985	Security Bank of Midwest City Midwest City, Oklahoma
State Bank of Farmersville Farmersville, Illinois	NM	3,100	11,074	10,868	4,871	August 9, 1985	The Litchfield Bank and Trust Co. Litchfield, Illinois
Cardwell State Bank Cardwell, Missouri	NM	1,430	6,188	5,582	1,941	August 28, 1985	Merchants & Planters Bank of Hornersville Hornersville, Missouri
Missouri Delta Bank Hayti, Missouri	NM	1,923	8,684	8,021	1,920	August 28, 1985	Bank of Hayti Hayti, Missouri
Moncor Bank, N.A. Hobbs, New Mexico	N	17,980	204,843	114,011	88,006	August 30, 1985	United Bank of Lea County Hobbs, New Mexico
The Bank of Loretto Loretto, Tennessee	NM	6,622	24,614	24,013	2,304	September 4, 1985	First Farmers & Merchants National Bank of Columbia Columbia, Tennessee

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1985

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets (000's)	Total Deposits (000's)	FDIC Disbursements (000's)	Date of Closing, Deposit Assumption, or Merger	Receiver, Assuming Bank, Transferee Bank, or Merging Bank
Moncor Bank, N.A. Roswell, New Mexico	N	2,015	32,881	23,671	12,727	September 12, 1985	First National Bank of Chaves County Roswell, New Mexico
First Security Bank of Dickson Dickson, Tennessee	NM	3,566	15,632	15,089	2,209	September 12, 1985	Peoples Bank Vanleer, Tennessee
Western State Bank Denton, Texas	NM	3,048	23,377	21,497	5,216	September 27, 1985	Texas Bank of Denton Denton, Texas
Tower Bank, N.A. Hialeah Gardens, Florida	N	2,646	14,792	14,424	2,579	October 3, 1985	Bayshore Bank of Florida Miami, Florida
Bank of Canton Canton, Oklahoma	NM	4,089	17,442	17,713	5,346	October 10, 1985	Community State Bank of Canton Canton, Oklahoma
Saratoga State Bank Saratoga, Wyoming	SM	3,529	17,066	16,442	4,256	October 11, 1985	First Wyoming Bank-Saratoga Saratoga, Wyoming
First National Bank of St. Joseph St. Joseph, Missouri	N	29,609	174,246	160,571	97,809	October 11, 1985	Commerce Bank of St. Joseph, N.A. St. Joseph, Missouri
Farmers State Bank in Afton Afton, Oklahoma	NM	3,432	10,080	9,434	971	October 17, 1985	Security Bank & Trust Co. Miami, Oklahoma
First State Bank Jet, Oklahoma	NM	2,623	11,117	10,828	3,314	October 18, 1985	Cleo State Bank Cleo Springs, Oklahoma
The Early Bank Early, Texas	NM	2,093	13,005	12,312	3,649	October 18, 1985	Texas Bank Early, Texas
Farmers State Bank of Kanaranzi Kanaranzi, Minnesota	NM	980	6,093	3,700	961	October 18, 1985	Citizens State Bank of Silver Lake Silver Lake, Minnesota
The Citizens Bank Ogden, Utah	NM	13,199	91,210	79,916	41,739	October 18, 1985	Commercial Security Bank Ogden, Utah
Early Savings Bank Early, Iowa	SM	2,703	12,861	11,979	4,129	November 1, 1985	The Citizens First National Bank of Storm Lake Storm Lake, Iowa
The Aurora Bank Aurora, Colorado	SM	2,939	17,415	14,795	4,053	November 1, 1985	Omnibank Iliff, N.A. Aurora, Colorado
Auburn Savings Bank Auburn, Iowa	SM	1,925	7,250	6,534	1,528	November 8, 1985	Carroll County State Bank Carroll, Iowa
Northshore Bank Houston, Texas	NM	8,615	43,718	39,157	17,963	November 8, 1985	Bank of Woodforest Houston, Texas
Decatur County National Bank of Oberlin Oberlin, Kansas	N	2,626	14,830	13,965	9,866	November 21, 1985	The Bank of Oberlin Oberlin, Kansas
The Dill State Bank Dill City, Oklahoma	NM	2,880	15,104	13,447	6,317	November 21, 1985	Home State Bank Hobart, Oklahoma
The Clarksdale Bank of Clarksdale Clarksdale, Missouri	NM	1,788	6,191	5,905	4,109	November 21, 1985	United Missouri Bank of St. Joseph St. Joseph, Missouri
Chester State Bank Chester, Texas	NM	1,334	11,154	10,096	1,945	November 22, 1985	Bank of East Texas Chester, Texas
Allen County Bank and Trust Co. Leo, Indiana	NM	5,680	11,280	10,999	186	November 22, 1985	The Indiana National Bank Indianapolis, Indiana
California Heritage Bank San Diego, California	NM	3,116	22,156	18,341	6,111	November 22, 1985	Grossmont Bank La Mesa, California

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1985

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets (000's)	Total Deposits (000's)	FDIC Disbursements (000's)	Date of Closing, Deposit Assumption, or Merger	Receiver, Assuming Bank, Transferee Bank, or Merging Bank
Farmers State Bank of Barry County Exeter, Missouri	NM	2,494	4,096	4,015	1,756	December 13, 1985	Security Bank of Southwest Missouri Exeter, Missouri
Lake National Bank Lake Ozark, Missouri	N	3,928	18,093	19,121	4,506	December 13, 1985	The Central Trust Bank Jefferson City, Missouri
First National Bank of Lincoln County Ruidoso, New Mexico	N	2,600	31,632	26,733	9,574	December 13, 1985	First National Bank of Ruidoso Ruidoso, New Mexico
Bank of Panama Panama, Nebraska	NM	1,403	4,391	4,312	1,420	December 19, 1985	Farmers State Bank Douglas, Nebraska
Farmers State Bank Sargent, Nebraska	NM	2,458	12,149	10,962	2,494	December 19, 1985	First National Bank in Ord Ord, Nebraska
State Bank of Frost Frost, Minnesota	NM	1,350	7,331	5,956	1,394	December 20, 1985	Frost State Bank Frost, Minnesota
First City Bank Glendale, California	NM	3,700	27,731	27,721	6,573	December 20, 1985	Sterling Bank Los Angeles, California
Assistance Transactions							
Bank of Oregon Woodburn, Oregon	NM	21,358	106,342	93,670	19,899	May 31, 1985	Alaska Pacific Bancorporation Anchorage, Alaska
The Commercial Bank** Andalusia, Alabama	NM	12,120	89,000	76,800	0	August 16, 1985	First Alabama Bancshares, Inc. Montgomery, Alabama
Bowery Savings Bank New York, New York	NM	637,676	5,278,834	4,938,423	436,174	October 1, 1985	Bowery Savings Bank, Inc. New York, New York
Home Savings Bank White Plains, New York	NM	64,000	421,754	402,318	23,500	December 31, 1985	The Home Savings Bank Brooklyn, New York

**Disbursement not required until January 1986.

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1986

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
Deposit Payoffs							
The Peoples National Bank and Trust Company* Albia, Iowa	N	11,700	50,000	46,200	43,818	February 6, 1986	Federal Deposit Insurance Corporation
Executive Center Bank, N. A. Dallas, Texas	N	900	9,400	9,100	7,589	February 14, 1986	Federal Deposit Insurance Corporation
Elk City State Bank* Elk City, Oklahoma	SM	2,800	20,600	21,000	18,710	February 21, 1986	Federal Deposit Insurance Corporation
The Citizens Bank of Wingon, Missouri Wingon, Missouri	NM	1,300	6,200	5,900	5,976	March 7, 1986	Federal Deposit Insurance Corporation
The Peoples Bank of Mercer Mercer, Missouri	NM	2,300	9,100	9,300	8,855	April 10, 1986	Federal Deposit Insurance Corporation
The First National Bank of Carter* Carter, Oklahoma	N	1,300	7,300	6,500	6,674	May 1, 1986	Federal Deposit Insurance Corporation
Sunshine State Bank South Miami, Florida	NM	5,900	110,500	97,000	91,162	May 23, 1986	Federal Deposit Insurance Corporation
The Citizens State Bank of McCracken McCracken, Kansas	NM	1,500	10,900	10,200	9,516	June 3, 1986	Federal Deposit Insurance Corporation
Security Bank of Glenrock Glenrock, Wyoming	SM	1,800	6,000	5,800	5,637	June 6, 1986	Federal Deposit Insurance Corporation
Petrobank, N. A.* Houston, Texas	N	2,000	38,100	36,800	33,639	June 12, 1986	Federal Deposit Insurance Corporation
The First National Bank of Chanute Chanute, Kansas	N	9,700	45,300	44,900	42,724	June 19, 1986	Federal Deposit Insurance Corporation
National Bank of Texas* Austin, Texas	N	2,900	32,600	30,600	28,554	July 2, 1986	Federal Deposit Insurance Corporation
The Bank of Kiowa* Kiowa, Kansas	NM	1,900	11,300	10,900	7,651	July 17, 1986	Federal Deposit Insurance Corporation
Permian Bank* Odessa, Texas	NM	7,000	38,800	33,800	33,176	July 18, 1986	Federal Deposit Insurance Corporation
First National Bank in Cordell Cordell, Oklahoma	N	2,600	22,800	22,600	21,824	July 31, 1986	Federal Deposit Insurance Corporation
Medicine Bow State Bank Medicine Bow, Wyoming	SM	900	4,600	4,000	4,229	August 8, 1986	Federal Deposit Insurance Corporation
First National Bank in Rifle* Rifle, Colorado	N	4,000	18,900	17,100	16,637	August 21, 1986	Federal Deposit Insurance Corporation
Buena Vista Bank & Trust Company* Buena Vista, Colorado	NM	4,200	32,000	29,700	29,972	August 28, 1986	Federal Deposit Insurance Corporation
American National Bank of Eastridge Casper, Wyoming	N	1,200	4,100	3,700	3,535	August 28, 1986	Federal Deposit Insurance Corporation
Valley State Bank Baggs, Wyoming	SM	1,900	4,200	4,000	3,605	October 17, 1986	Federal Deposit Insurance Corporation
The First National Bank and Trust Company of Enid Enid, Oklahoma	N	18,000	92,400	91,200	85,465	November 6, 1986	Federal Deposit Insurance Corporation

*Dividend advanced by FDIC

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1986

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
Deposit Transfers to Operating Banks							
American Bank of Casper Casper, Wyoming	NM	4,300	18,800	15,000	20,172	January 17, 1986	Hilltop National Bank, Casper, Wyoming
Valencia Bank Placentia, California	NM	10,600	96,700	94,000	92,075	February 7, 1986	Barclays Bank of California, San Francisco, California
Farmers and Merchants State Bank of Lamberton Lamberton, Minnesota	NM	3,500	16,200	15,200	15,284	March 14, 1986	American Bank of Mankato, Mankato, Minnesota
Farmers and Merchants Bank of Huntsville Huntsville, Missouri	NM	4,700	18,800	18,200	13,805	March 28, 1986	City Bank and Trust Company, Moberly, Missouri
Union County Bank Maynardsville, Tennessee	NM	6,900	32,200	30,100	24,389	April 22, 1986	Commercial Bank of Claiborne County, Harrogate, Tennessee
Saddleback National Bank* Laguna Hills, California	N	1,100	13,700	12,900	13,221	May 15, 1986	Landmark Bank, La Habra, California
The First National Bank and Trust Company of Norman Norman, Oklahoma	N	12,800	70,000	68,900	66,339	May 29, 1986	The Liberty National Bank and Trust Company of Oklahoma City, Oklahoma City, Oklahoma
The American Bank Alma, Wisconsin	NM	8,100	38,400	34,800	32,498	June 20, 1986	Bank of Alma, a newly-chartered subsidiary of La Farge Bancorp Inc., La Farge, Wisconsin
Union Deposit Bank Union, Kentucky	NM	2,200	6,000	6,500	8,761	June 26, 1986	The Central Trust Company, Boone County, Kentucky, a new state-chartered member bank
The Bank of Park County Bailey, Colorado	NM	2,100	5,400	4,800	4,671	July 25, 1986	Bank of Mountain Valley, N. A., Conifer, Colorado, a newly-chartered subsidiary of Mountain Parks Financial Corporation, Minneapolis, Minnesota.
The First National Bank and Trust Company of El Reno El Reno, Oklahoma	N	8,200	45,900	43,400	35,064	August 7, 1986	The American National Bank of Lawton, Lawton, Oklahoma
Citizens National Bank and Trust Company Oklahoma City, Oklahoma	N	19,800	165,900	157,700	140,451	August 14, 1986	The Liberty National Bank and Trust Company of Oklahoma City, Oklahoma City, Oklahoma
Century National Bank Houston, Texas	N	2,400	14,800	13,700	12,686	October 2, 1986	Sterling Bank-Willowbrook, a newly-chartered subsidiary of Sterling Bancshares, Inc., Houston, Texas
Independent National Bank* Covina, California	N	8,200	29,200	27,800	27,194	October 9, 1986	Chino Valley Bank, Chino, California
Sedgwick County Bank Julesburg, Colorado	SM	900	3,700	3,700	2,908	November 5, 1986	The First National Bank of Julesburg, Julesburg, Colorado
First National Bank of Temple Temple, Oklahoma	N	1,500	6,980	6,600	5,760	November 14, 1986	Union National Bank of Oklahoma, Temple, Oklahoma, a newly-chartered subsidary of The Union of Arkansas Corporation, Little Rock, Arkansas
Cordell National Bank Cordell, Oklahoma	N	5,800	77,000	71,300	59,885	December 5, 1986	City National Bank, Weatherford, Oklahoma
Lago Vista National Bank* Lago Vista, Texas	N	1,900	11,300	10,600	10,056	December 18, 1986	Greater Texas Bank Leander, Leander, Texas
First Bank & Trust Company Booker, Texas	NM	7,500	88,500	78,400	71,358	December 18, 1986	First National Bank of Perryton, Perryton, Texas

*Dividend advanced by FDIC

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1986

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
Deposit Assumptions							
The First National Bank of White City White City, Kansas	N	2,000	9,800	9,100	6,206	January 9, 1986	The Bank of White City, White City, Kansas, a newly-chartered subsidiary of Herington Bancshares, Inc., Herington, Kansas
First State Bank Cache, Oklahoma	NM	3,900	19,600	17,900	12,549	January 9, 1986	The American National Bank of Lawton, Lawton, Oklahoma, a subsidiary of American National Bankcorp, Inc., Lawton, Oklahoma
Bank of Dixie Lake Providence, Louisiana	NM	1,200	38,300	36,200	22,189	January 10, 1986	The Louisiana Delta Bank, a newly-chartered subsidiary of Central Louisiana Capital Corporation, Ferriday, Louisiana
First Progressive Bank Metairie, Louisiana	NM	8,200	37,700	37,200	23,054	January 17, 1986	First Industrial Bank & Trust Company, Metairie, Louisiana, a newly-chartered subsidiary of First National Corporation, Covington, Louisiana
Utah Firstbank Salt Lake City, Utah	SM	5,300	36,700	33,400	20,303	January 24, 1986	Citibank (Utah), Salt Lake City, Utah, a newly-chartered state bank subsidiary of Citicorp, New York, New York
Pioneer State Bank Salt Lake City, Utah	SM	4,000	9,300	8,400	2,877	January 24, 1986	Zions First National Bank, Salt Lake City, Utah
Johnson County Bank Tecumseh, Nebraska	SM	4,900	19,700	18,300	12,382	February 7, 1986	State Bank of Elk Creek, Elk Creek, Nebraska
First National Bank of Tipton Tipton, Iowa	N	5,400	17,700	17,500	4,973	February 14, 1986	Citizens Savings Bank, Anamosa, Iowa
Park Bank of Florida St. Petersburg, Florida	NM	38,500	592,900	543,900	210,731	February 14, 1986	The Chase Bank of Florida, N.A., a newly-chartered subsidiary of Chase Manhattan Corporation, New York, New York
First National Bank of Douglas Douglas, Wyoming	N	4,000	13,600	12,900	8,337	February 21, 1986	First Wyoming Bank, Douglas, Wyoming
The First National Bank of Gorman Gorman, Texas	N	2,700	13,700	12,700	8,602	February 27, 1986	Citizens State Bank, a newly-chartered subsidiary of Mid-Texas Bancshares, Inc., Fort Worth, Texas
The First National Bank of Tekamah Tekamah, Nebraska	N	4,100	19,500	18,400	7,911	March 6, 1986	Nebraska National Bank, Omaha, Nebraska
The City National Bank of Plainview Plainview, Texas	N	8,400	46,500	48,900	16,845	March 6, 1986	First National Bank of Plainview, Plainview, Texas
Williams Savings Bank Williams, Iowa	NM	2,100	11,400	10,700	3,042	March 20, 1986	Iowa Falls State Bank, Iowa Falls, Iowa
First State Bank White Cloud, Kansas	NM	1,000	5,500	5,100	2,648	March 27, 1986	Silver Lake Bank, Silver Lake, Kansas
First State Bank Memphis, Texas	NM	2,500	16,600	15,300	9,141	March 27, 1986	Memphis State Bank, a newly-chartered subsidiary of North Central Texas Bancshares, Inc., Iowa Park, Texas
Stockholm State Bank Stockholm, South Dakota	NM	1,800	6,800	6,300	2,224	March 27, 1986	Community State Bank of Stockholm, Stockholm, South Dakota, a newly-chartered state bank
Family Bank Ogden, Utah	NM	5,600	23,300	20,000	6,958	March 28, 1986	Commercial Security Bank, Ogden, Utah
Eddy County National Bank Carlsbad, New Mexico	N	3,100	28,400	23,100	15,085	April 3, 1986	United New Mexico Bank at Carlsbad, Carlsbad, New Mexico

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1986

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Industrial National Bank of East Chicago East Chicago, Indiana	N	1,900	[illegible]	8,000	2,954	April 3, 1986	Mercantile National Bank of Indiana, Hammond, Indiana
The National Bank Dyersville, Iowa	N	9,160	42,700	38,200	25,917	April 10, 1986	American Trust & Savings Bank, Dubuque, Iowa
The First National Bank of Ruston Ruston, Louisiana	N	10,000	30,900	29,800	4,335	April 10, 1986	Security First National Bank, Alexandria, Louisiana
Center National Bank Los Angeles, California	N	2,380	38,400	36,700	22,091	April 11, 1986	Independence Bank, Los Angeles, California
Florida Center Bank Orlando, Florida	NM	4,400	75,700	69,400	35,994	April 18, 1986	American National Bank of Florida, Jacksonville, Florida
First National Bank of Irving Irving, Texas	N	7,500	34,700	33,500	13,542	April 24, 1986	City National Bank of Irving, Irving, Texas
The First National Bank of Bandera Bandera, Texas	N	2,600	14,600	14,100	4,810	April 24, 1986	Bandera Bank, Bandera, Texas, a newly-chartered subsidiary of Bandera Bancshares, Inc., Dallas, Texas
Bank of Nortonville Nortonville, Kansas	NM	2,200	6,800	6,400	4,656	May 1, 1986	Kendall State Bank, Valley Falls, Kansas
The Bedford National Bank Bedford, Iowa	N	3,500	17,900	16,500	6,782	May 1, 1986	American National Bank, Bedford, Iowa
Bank of Commerce and Trust Company Tulsa, Oklahoma	NM	12,300	173,400	126,000	143,849	May 8, 1986	The First National Bank and Trust Company of Tulsa, Tulsa, Oklahoma
Rainsville Bank Rainsville, Alabama	NM	4,500	16,600	15,600	2,436	May 9, 1986	Jacobs Bank, Scottsboro, Alabama
First Bank and Trust of Idaho Malad City, Idaho	NM	12,300	59,100	54,700	35,798	May 9, 1986	The Idaho First National Bank, Boise, Idaho
The Citizens State Bank of St. Francis St. Francis, Kansas	NM	2,900	24,200	22,000	14,425	May 15, 1986	St. Francis State Bank and Trust Company, a newly-chartered subsidiary of G. S. Bancshares, Inc., Goodland, Kansas
First State Bank & Trust Company Edinburg, Texas	NM	11,700	134,100	118,800	48,906	May 23, 1986	NBC Bank-Edinburg, Edinburg, Texas
Centennial State Bank of Colorado Englewood, Colorado	NM	5,300	19,100	18,900	5,461	May 23, 1986	First Interstate Bank of Centennial, N. A., Englewood, California
Roseland State Bank Roseland, Nebraska	NM	2,300	11,600	10,100	4,163	May 28, 1986	Hastings State Bank, Hastings, Nebraska
The Lone Rock Bank, N. A. Lone Rock, Iowa	N	1,000	7,300	7,100	6,222	May 29, 1986	Swea City State Bank, Swea City, Iowa
Banco de Ahorro, FSB Mayaguez, Puerto Rico	NM	7,300	31,700	28,200	8,486	May 30, 1986	Banco Popular de Puerto Rico, San Juan, Puerto Rico
Bank of Columbia Falls Columbia Falls, Montana	NM	5,400	42,800	40,500	24,791	May 30, 1986	First Citizens Bank, N. A., Columbia Falls, Montana, a newly-chartered subsidiary of Citizens Development Company, Billings, Montana
Bossier Bank and Trust Company Bossier City, Louisiana	NM	31,800	204,400	199,700	134,913	June 13, 1986	The First National Bank of Shreveport, Shreveport, Louisiana
The Bank of Commerce Shreveport, Louisiana	NM	9,400	70,300	69,000	43,162	June 13, 1986	Peoples Bank & Trust Company, Natchitoches, Louisiana

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1986

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
First National Bank of Borger Borger, Texas	N	9,000	79,200	66,100	27,896	June 19, 1986	First National Bank of Borger, a newly-chartered national bank subsidiary of First Borger Bancshares, Inc., Lubbock, Texas
Continental National Bank of Kentucky Louisville, Kentucky	N	5,100	9,800	9,700	1,031	June 26, 1986	River City Bank, Inc., a newly-chartered subsidiary of First Breckenridge Bancshares, Inc., Irvington, Kentucky
The Home State Bank Rochester, Texas	NM	1,600	8,800	8,500	6,199	June 27, 1986	Home State Bank, Rochester, Texas, a newly-chartered subsidiary of Rochester Financial Corporation, Rochester, Texas
Commercial State Bank Pocahontas, Iowa	NM	7,700	50,400	42,500	38,040	June 27, 1986	Citizens State Bank, Pocahontas, Iowa, a newly-chartered subsidiary of Carroll County Bancshares, Inc., Carroll, Iowa
Orange Coast Thrift and Loan Association Los Alamitos, California	NM	1,100	11,400	11,000	10,252	June 27, 1986	Capital Thrift and Loan Association, Napa, California
Farmers State Bank of Clarissa Clarissa, Minnesota	NM	4,400	16,400	15,900	12,174	July 11, 1986	First State Bank, Rush City, Minnesota
The First National Bank and Trust Company of Oklahoma City Oklahoma City, Oklahoma	N	33,000	1,600,000	1,500,000	708,516	July 14, 1986	First Interstate Bank of Oklahoma City, N. A., Oklahoma, City, Oklahoma, a newly-chartered subsidiary of First Interstate Bancorp, Los Angeles, California
Fillmore County Bank Geneva, Nebraska	NM	2,300	12,400	11,500	5,119	July 17, 1986	York State Bank and Trust Company, York, Nebraska
Callao Community Bank Callao, Missouri	NM	1,700	5,300	5,100	1,413	July 17, 1986	Lafayette County Bank of Lexington/Wellington, Lexington, Missouri
The First National Bank of Sheridan Sheridan, Wyoming	N	11,400	65,900	59,800	24,124	July 17, 1986	First Wyoming Bank-Sheridan, Sheridan, Wyoming, a newly-chartered subsidiary of First Wyoming Bancorporation, Cheyenne, Wyoming
New Mexico National Bank Albuquerque, New Mexico	N	11,000	158,000	146,300	71,148	July 17, 1986	First Interstate Bank of Albuquerque, Albuquerque, New Mexico
Farmers' Bank Trimble, Tennessee	NM	4,300	21,600	18,500	23,257	July 18, 1986	First Tennessee Bank, N. A., Memphis, Tennessee
The First National Bank of Prairie City Prairie City, Iowa	N	4,900	18,900	18,300	8,840	July 24, 1986	Security Bank, Marshalltown, Iowa
McCune State Bank McCune, Kansas	NM	2,100	8,300	7,800	5,409	July 24, 1986	City National Bank of Pittsburg, Pittsburg, Kansas
Mountain Valley Bank Conifer, Colorado	SM	3,700	7,700	7,700	1,880	July 25, 1986	Bank of Mountain Valley, N. A., Conifer, Colorado, a newly-chartered subsidiary of Mountain Parks Financial Corporation, Minneapolis, Minnesota
Eden State Bank Eden, Texas	NM	2,300	13,000	12,400	6,335	July 31, 1986	The Eden State Bank, a newly-chartered subsidiary of Eden Financial Corporation, San Angelo, Texas
Citizens State Bank Iowa Falls, Iowa	SM	10,000	51,900	50,900	19,575	July 31, 1986	Green Belt Bank & Trust, a newly-chartered subsidiary of Green Belt Bancorporation, Iowa Falls, Iowa
The Gering National Bank and Trust Company Gering, Nebraska	N	13,200	68,700	67,000	37,814	July 31, 1986	Scottsbluff National Bank & Trust Company, Scottsbluff, Nebraska

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1986

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
The Easton State Bank Easton, Kansas	NM	3,600	16,800	15,900	6,425	August 7, 1986	Fort National Bank, Easton, Kansas, a newly-chartered subsidiary of Exchange Bankshares Corporation, Atchison, Kansas
Graettinger State Bank Graettinger, Iowa	NM	2,600	11,800	11,400	2,739	August 7, 1986	Swea City State Bank, Swea City, Iowa
First Citizens Bank Dallas, Texas	NM	15,300	93,800	88,900	32,752	August 7, 1986	Grand Bank Northeast, a newly-chartered subsidiary of Grand Bancshares, Inc., Dallas, Texas
The State Exchange Bank Yates Center, Kansas	NM	4,800	26,900	24,800	13,654	August 14, 1986	The Girard National Bank, Girard, Kansas
Mendon State Bank Mendon, Illinois	NM	3,900	20,500	18,800	9,871	August 20, 1986	First Midwest Bank/Quincy, N. A., Quincy, Illinois
The United Bank Minneapolis, Kansas	NM	4,100	23,700	21,600	6,434	August 21, 1986	The Bennington State Bank, Bennington, Kansas
Danbury Bank Danbury, Texas	NM	1,700	9,600	9,100	4,268	August 21, 1986	Danbury State Bank, a newly-chartered subsidiary of P.J.D. Bancshares, Inc., Louise, Texas
Albany State Bank Albany, Missouri	NM	900	4,600	4,700	3,661	August 28, 1986	United Missouri Bank of St. Joseph, St. Joseph, Missouri
Fairview State Bank Fairview, Oklahoma	SM	4,000	24,200	22,700	13,161	September 4, 1986	Community National Bank of Okarche, Okarche, Oklahoma
Western Bank Midland, Texas	NM	13,300	72,800	68,000	67,865	September 4, 1986	United Bank, N. A., Midland, Texas
Central Bank and Trust of Tulsa Tulsa, Oklahoma	NM	10,800	76,500	54,500	39,102	September 10, 1986	The F&M Bank and Trust Company, Tulsa, Oklahoma
Texas Independence Bank Pasadena, Texas	NM	4,500	12,000	11,800	4,103	September 18, 1986	The Texas Independence Bank, Pasadena, Texas, a newly-chartered subsidiary of Citizens Bankers, Inc., Baytown, Texas
Texas Bank & Trust Lubbock, Texas	NM	7,500	34,100	30,800	13,700	September 19, 1986	RepublicBank Lubbock, N. A., Lubbock, Texas
The Home State Bank La Crosse, Kansas	NM	3,400	13,700	12,400	8,628	September 25, 1986	Farmers Bank and Trust, N. A., Albert, Kansas
Heritage National Bank Richardson, Texas	N	3,500	33,900	30,100	24,037	September 25, 1986	Brookhollow National Bancshares, Inc., Dallas, Texas
American Bank and Trust Company Lafayette, Louisiana	NM	24,000	188,700	151,200	72,188	September 26, 1986	Whitney National Bank of New Orleans, New Orleans, Louisiana
Missouri Farmers Bank Mound City, Missouri	NM	5,000	27,800	23,300	13,216	October 2, 1986	United Missouri Bank of St. Joseph, St. Joseph, Missouri
Frontier National Bank Visalia, California	N	2,500	9,800	9,800	3,917	October 2, 1986	Rancho Vista National Bank, Vista, California
Columbia Community Bank Hermiston, Oregon	NM	2,500	4,500	[illegible]	1,520	October 3, 1986	Inland Empire Bank, Hermiston, Oregon
Bank of Gering Gering, Nebraska	NM	3,800	20,900	20,400	10,091	October 22, 1986	First State Bank, Scottsbluff, Nebraska

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1986

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
Stillwater Community Bank Stillwater, Oklahoma	NM	3,500	18,800	10,600	4,915	October 23, 1986	The Bank, N. A., McAlester, Oklahoma
Security National Bank Anchorage , Alaska	N	2,600	40,000	38,800	21,744	October 23, 1986	Rainier Bank Alaska, N. A., Anchorage Alaska
Republic Bank Blanchard, Louisiana	NM	11,200	40,500	39,300	14,182	October 31, 1986	American Bank & Trust Company in Monroe, Monroe, Louisiana
The Citizens State Bank Donna, Texas	NM	7,800	27,800	27,600	18,134	November 6, 1986	Raymondville State Bank, Raymondville, Texas
The Home Bank Savannah, Missouri	NM	11,000	41,300	40,700	19,476	November 6, 1986	United Missouri Bank of St. Joseph St. Joseph, Missouri
First Stock Yards Bank St. Joseph, Missouri	NM	8,100	32,700	32,100	17,404	November 6, 1986	The Bank of St. Joseph, St. Joseph, Missouri
Metropolitan Bank & Trust Company Baton Rouge, Louisiana	NM	6,700	67,400	65,400	28,320	November 7, 1986	The Whitney National Bank of New Orleans, New Orleans, Louisiana
Chokio State Bank Chokio, Minnesota	NM	2,400	11,600	11,000	7,500	November 7, 1986	First Bank of Chokio, Chokio, Minnesota, a newly-chartered subsidiary of Barron Bancshares, Inc., Chokio, Minnesota
The Hoxie State Bank Hoxie, Kansas	NM	5,400	35,600	32,100	14,018	November 13, 1986	Prairie Bank, Hoxie, Kansas, a newly-chartered subsidiary of Prairie Bancshares, Inc., Oakley, Kansas
The Bank of Northern California San Jose, California	NM	600	15,200	14,100	11,326	November 14, 1986	Pacific Valley Bank, San Jose, California
Texana National Bank of College Station College Station, Texas	N	1,400	11,900	11,100	3,530	November 20, 1986	First State Bank in Caldwell, Caldwell Texas
Norman Bank of Commerce Norman, Oklahoma	NM	10,000	40,000	38,800	25,260	November 20, 1986	First Interstate Bank of Oklahoma, N. A. Oklahoma City, Oklahoma
First National Bank Willows, California	N	13,500	65,000	61,300	7,134	November 20, 1986	First Interstate Central Bank, Willows, California, a newly-chartered subsidiary of First Interstate Bancorp, Los Angeles California
Hays State Bank Hays, Kansas	NM	4,600	34,800	31,200	18,840	December 4, 1986	Farmers State Bank and Trust Company Hays, Kansas
Panhandle Bank and Trust Company Borger, Texas	NM	10,400	106,600	96,000	29,372	December 4, 1986	Amarillo National Bank, Amarillo, Texas
First National Bank of Stewartville Stewartville, Minnesota	N	4,700	18,300	17,900	10,686	December 4, 1986	Marquette Bank Rochester, Rochester Minnesota
The Citizens Bank of Windsor Windsor, Missouri	NM	5,500	21,000	23,300	12,002	December 9, 1986	United Missouri Bank of Warrensburg Warrensburg, Missouri
Landmark National Bank Denver, Colorado	N	1,600	10,700	9,100	3,731	December 18, 1986	OMNIBANK Leetsdale, Denver, Colorado a newly-chartered subsidiary of OMNIBANCORP, Denver, Colorado
Lakeland State Bank Pequot Lakes, Minnesota	NM	13,800	46,500	46,500	12,259	December 19, 1986	The Northern National Bank, Bemidji, Minnesota
Farmers State Bank Lueders, Texas	NM	1,600	9,100	8,400	3,033	December 19, 1986	Farmers and Merchants National Bank of Merkel, Merkel, Texas

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1986

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
Assistance Transactions							
The Talmage State Bank Talmage, Kansas	NM	2,000	9,600	8,900	1,700	April 16, 1986	Financial Assistance to an Open Bank, under Section 13(c)(1) of the FDI Act, to prevent failure.
State Bank of Westphalia** Westphalia, Kansas	NM	1,500	4,300	4,100	0	August 15, 1986	Kansas State Bank, Garnett, Kansas
Mid Valley Bank** Omak, Washington	NM	13,500	40,200	38,200	0	August 30, 1986	First Bank System, Inc., Minneapolis, Minnesota
Bank of Oklahoma, Oklahoma City, N. A. Oklahoma City, Oklahoma	N	16,800	468,200	349,900	130,000	November 24, 1986	Bank of Oklahoma, Tulsa, N. A., Tulsa, Oklahoma
Bank of Commerce Morristown, Tennessee	NM	20,500	67,300	65,600	13,000	November 26, 1986	Financial Assistance to an Open Bank, under Section 13(c)(1) of the FDI Act, to prevent failure.
Bank of Kansas City Kansas City, Missouri	NM	13,800	118,800	108,200	15,977	December 29, 1986	Merchants Bank, Kansas City, Missouri
Citizens Bank & Trust Company Arcadia, Louisiana	NM	2,300	10,400	10,700	377	December 31, 1986	The First National Bank, Bienville Parish, Louisiana

**FDIC's financial assistance consists of a guaranty against potential loan losses. No disbursements were made in 1986.

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1987

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
Insured Deposit Payoffs							
First State Bank of Pattonsburg Pattonsburg, Missouri	NM	1,700	5,700	5,500	5,451	January 29, 1987	Federal Deposit Insurance Corpor
Sunbelt National Bank* Dallas, Texas	N	3,500	11,200	11,100	13,609	February 5, 1987	Federal Deposit Insurance Corpor
Security National Bank Midland, Texas	N	2,400	7,800	7,700	7,143	February 12, 1987	Federal Deposit Insurance Corpor
Federated National Bank Live Oak, Texas	N	1,400	13,400	11,400	10,102	February 12, 1987	Federal Deposit Insurance Corpor
The First National Bank of Weslaco Weslaco, Texas	N	13,000	69,500	69,200	64,488	February 20, 1987	Federal Deposit Insurance Corpor
Plaza National Bank Del Rio, Texas	N	2,500	34,800	30,400	34,128	March 12, 1987	Federal Deposit Insurance Corpor
First State Bank of Forest City Forest City, Missouri	NM	1,500	6,200	6,600	6,344	April 16, 1987	Federal Deposit Insurance Corpor
Empire National Bank Los Angeles, California	N	700	9,200	7,600	8,479	July 30, 1987	Federal Deposit Insurance Corpor
Central National Bank of New York New York, New York	N	13,400	178,800	170,000	119,900	September 11, 1987	Federal Deposit Insurance Corpor
The Timken State Bank Timken, Kansas	NM	600	3,200	3,300	2,861	November 19, 1987	Federal Deposit Insurance Corp
The Alexander State Bank Alexander, Kansas	NM	1,300	8,400	8,600	8,167	November 19, 1987	Federal Deposit Insurance Corp

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*Dividend advanced by FDIC

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1987

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
Insured Deposit Transfers							
American National Bank of Grand Junction Grand Junction, Colorado	N	1,300	7,400	7,100	6,786	January 8, 1987	Intrawest Bank of Grand Junction, Grand Junction, Colorado
National Bank of Frederick Frederick, Oklahoma	N	3,500	24,800	23,300	21,262	January 22, 1987	First National Bank and Trust Company, Frederick, Oklahoma
The First National Bank of Marlboro Marlborough, Massachusetts	N	13,000	55,600	47,200	44,890	January 23, 1987	Worcester County Institution for Savings, Worcester, Massachusetts
First Sierra Bank* Bishop, California	NM	4,400	23,300	23,000	31,709	January 23, 1987	Security Pacific National Bank, Los Angeles, California
Market National Bank Denver, Colorado	N	800	9,000	8,900	8,743	February 5, 1987	Women's Bank, N. A., Denver, Colorado
First National Bank in West Concord West Concord, Minnesota	N	2,100	9,100	8,800	8,483	March 5, 1987	Farmers State Bank, West Concord, Minnesota
Beaver Creek State Bank Beaver Creek, Minnesota	NM	1,900	7,300	7,300	6,676	March 13, 1987	Citizens State Bank of Silver Lake, Silver Lake, Minnesota
The Citizens State Bank Brownstown, Indiana	NM	7,200	30,800	28,100	27,007	April 10, 1987	Monroe County Bank, Bloomington, Indiana
North Central National Bank Austin, Texas	N	1,900	23,300	22,200	21,307	April 23, 1987	Greater Texas Bank North, National Association, Austin, Texas
Heritage Bank & Trust Salt Lake County, Utah	SM	4,200	17,600	16,000	5,934	April 29, 1987	First Interstate Bank of Utah, N. A., Salt Lake City, Utah
UnitedBank Houston Houston, Texas	NM	13,400	217,900	161,100	179,340	April 30, 1987	American Bank, Houston, Texas
North American National Bank Littleton, Colorado	N	2,800	10,300	8,900	7,292	May 7, 1987	FirstBank of Colorado, N. A., Littleton, Colorado
Farmers State Bank Maddock, North Dakota	NM	2,300	11,800	11,600	10,952	May 8, 1987	Ramsey National Bank & Trust Company, Devils Lake, North Dakota
Texas Investment Bank, National Association Houston, Texas	N	1,200	15,100	13,400	12,195	May 21, 1987	River Oaks Bank, Houston, Texas
Texas National Bank Westheimer Houston, Texas	N	1,200	27,500	26,700	26,392	May 28, 1987	Texas Capital Bank Westwood, National Association, Houston, Texas
First National Bank of Wilmont Wilmont, Minnesota	N	2,500	14,900	11,600	10,937	May 29, 1987	Farmers State Bank of Mountain Lake, Mountain Lake, Minnesota
United Bank of Texas Austin, Texas	NM	16,800	202,100	163,100	155,828	June 4, 1987	MBank Austin, National Association, Austin, Texas
Bank of Granite Granite, Oklahoma	NM	1,800	13,900	12,700	12,012	July 30, 1987	Farmers and Merchants Bank, Maysville, Oklahoma
The First National Bank of Yukon Yukon, Oklahoma	N	7,800	37,800	38,500	36,222	July 30, 1987	Bank of Oklahoma, National Association, Tulsa, Oklahoma
Bayshore Bank of Florida Miami, Florida	SM	5,100	40,400	35,900	37,078	August 7, 1987	Eagle National Bank of Miami, Miami, Florida
First State Bank Blanchard, Oklahoma	NM	4,500	23,200	21,400	20,666	August 13, 1987	First State Bank, Hinton, Oklahoma
The First State Bank Willow, Oklahoma	NM	900	6,100	5,500	5,441	August 20, 1987	The Guarantee State Bank, Mangum, Oklahoma

*Dividend advanced by FDIC

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1987

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
American National Bank of Evanston Evanston, Wyoming	N	1,800	8,500	8,300	6,373	August 20, 1987	Pioneer Bank of Evanston, Evanston Wyoming
People's State Bank of Mazeppa Mazeppa, Minnesota	NM	2,900	16,500	15,300	21,900	August 21, 1987	The First State Bank of Red Wing, Re Wing, Minnesota
Bank of North America Houston, Texas	NM	5,100	33,300	30,000	26,652	August 27, 1987	Texas Commerce Bank, National Association, Houston, Texas
The First National Bank of Hammon Hammon, Oklahoma	N	800	6,000	5,500	5,301	September 3, 1987	American National Bank, Elk City Oklahoma
The First National Bank of Tipton Tipton, Oklahoma	N	1,400	8,200	7,100	6,563	September 3, 1987	The First National Bank in Altus, Al Oklahoma
Stockmen's Bank and Trust Company Gillette, Wyoming	SM	16,500	127,500	96,700	105,338	September 18, 1987	First Interstate Bank of Gillette, G Wyoming
The Mayfield State Bank Mayfield, Kansas	NM	1,100	19,000	20,300	20,319	September 24, 1987	First National Bank in Harper, Harpe Kansas
The Murdock State Bank Murdock, Kansas	NM	1,300	20,700	22,100	21,614	September 24, 1987	Farmers State Bank of Norwich, N Kansas
Western Bank Westheimer Houston, Texas	NM	14,500	290,900	259,900	204,180	October 1, 1987	Charter National Bank Houston, H Texas
State Bank of Greenwald Greenwald, Minnesota	NM	4,900	18,700	18,900	18,403	October 2, 1987	Rural American Bank of Greenw Greenwald, Minnesota, a new sta chartered bank
Citizens Bank of Krebs Krebs, Oklahoma	NM	1,300	14,200	13,200	11,698	October 8, 1987	First National Bank & Trust Comp McAlester, McAlester, Oklaho
United Services Bank Hartshorne, Oklahoma	NM	2,100	15,200	13,500	11,606	October 8, 1987	First National Bank & Trust Comp McAlester, McAlester, Oklaho
American National Bank of Afton * Afton, Wyoming	N	2,600	10,600	9,900	7,869	October 15, 1987	Star Valley State Bank, Afton, W
Yankee Bank for Finance & Savings FSB Boston, Massachusetts	NM	32,000	521,700	474,800	451,426	October 16, 1987	The Boston Five Cents Savings B Boston, Massachusetts
Western National Bank Bryan, Texas	N	6,000	19,500	15,400	19,779	October 22, 1987	First State Bank in Caldwell, C Texas
Alaska National Bank of the North Fairbanks, Alaska	N	21,000	214,900	201,300	153,622	October 22, 1987	National Bank of Alaska, A Alaska
Tri State National Bank Belle Fourche, South Dakota	N	4,300	11,000	10,800	10,536	November 10, 1987	The First Western Bank, Stur Dakota
First State Bank of Shoshoni Shoshoni, Wyoming	SM	800	5,100	4,100	2,732	December 18, 1987	First State Bank of Thermop Thermopolis, Wyoming

*Dividend advanced by FDIC

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1987

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
Deposit Assumptions							
Bowie National Bank Bowie, Texas	N	2,900	12,600	12,600	1,933	January 8, 1987	Bowie State Bank, Bowie, Texas, a newly-chartered subsidiary of Montague Bancshares, Inc., Weatherford, Texas
The Security National Bank and Trust Company of Norman Norman, Oklahoma	N	31,000	204,500	174,400	161,658	January 8, 1987	A newly-chartered national bank of the same name, jointly owned by First Commercial Corporation, Little Rock, Arkansas, and Northwest Arkansas Bancshares, Inc., Bentonville, Arkansas
State Bank of Cuba Cuba, Illinois	NM	3,800	17,500	17,600	7,871	January 9, 1987	National Bank of Canton, Canton, Illinois
Latimer Bank & Trust Latimer, Iowa	NM	3,400	23,000	21,900	10,707	January 15, 1987	The First National Bank of Clarion, Clarion, Iowa
The First National Bank of Rush Springs Rush Springs, Oklahoma	N	3,000	12,900	12,500	5,916	January 15, 1987	First National Bank of Maysville, Maysville, Oklahoma
First Charter Bank Denver, Colorado	SM	1,900	9,500	9,000	6,336	January 15, 1987	Century Bank and Trust, Denver, Colorado
The First National Bank of Skiatook Skiatook, Oklahoma	N	2,500	14,800	13,800	8,601	January 15, 1987	American Exchange Bank, Collinsville, Oklahoma
Peoples Bank & Trust Company Holdenville, Oklahoma	NM	2,700	20,200	19,300	13,738	January 29, 1987	The Bank, N. A., McAlester, Oklahoma
The Farmers National Bank of Remington Remington, Indiana	N	5,500	34,600	32,600	18,496	January 29, 1987	Lafayette National Bank, Lafayette, Indiana
Bear Creek National Bank Bear Creek, Texas	N	5,500	26,200	25,600	13,570	January 29, 1987	Jersey Village Bank, Houston, Texas
Montgomery County Bank, N. A. The Woodlands, Texas	N	9,700	45,400	44,300	39,420	January 29, 1987	Texas Commerce Bank, National Association, Houston, Texas
The La Pryor State Bank La Pryor, Texas	NM	1,400	5,400	5,000	2,712	January 29, 1987	Zavala County Bank, Crystal City, Texas
Boulevard State Bank Wichita, Kansas	NM	19,600	99,000	84,900	46,795	February 5, 1987	Union Boulevard National Bank, Wichita, Kansas, a newly chartered subsidiary of Union Bancshares, Inc., Wichita, Kansas
State Bank of Allison Allison, Iowa	NM	5,200	17,400	16,700	5,988	February 5, 1987	Lincoln Savings Bank, Reinbeck, Iowa
Community Bank Seiling, Oklahoma	NM	800	5,600	5,400	4,076	February 11, 1987	First National Bank of Seiling, Seiling, Oklahoma
First City Bank of Atoka Atoka, Oklahoma	NM	3,100	12,700	12,400	4,668	February 12, 1987	The Atoka State Bank, Atoka, Oklahoma
First State Bank of King City, Missouri King City, Missouri	NM	2,700	13,500	13,800	11,105	February 13, 1987	Citizens Bank & Trust Company, Chillicothe, Missouri
The County Bank Manatee County, Florida	NM	10,500	163,900	163,200	120,729	February 13, 1987	NCNB National Bank of Florida, Tampa, Florida
First State Bank of Atmore Atmore, Alabama	NM	3,300	11,500	11,400	6,417	February 19, 1987	The First National Bank of Atmore, Atmore, Alabama
Hub City Bank and Trust Company Lafayette, Louisiana	NM	8,400	36,400	37,500	23,072	February 20, 1987	The Hibernia National Bank, New Orleans, Louisiana

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1987

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
Farmers State Bank Hart, Texas	NM	1,800	9,600	9,000	5,123	February 26, 1987	Hale County State Bank, Plainview, Texas
First National Bank of Crosby Crosby, Texas	N	1,900	8,200	8,100	5,731	February 26, 1987	A newly-chartered subsidiary of Central Bancshares of the South, Inc., Birmingham, Alabama, having the same name as the failed bank
The Lewistown Bank Lewistown, Illinois	NM	2,500	14,400	14,000	8,354	February 27, 1987	The National Bank of Canton, Canton, Illinois
The First State Bank Rockford, Iowa	NM	3,300	15,100	14,600	6,328	March 4, 1987	First Security Bank & Trust Company, Charles City, Iowa
Liberty Bank Houston, Texas	NM	7,000	59,900	50,500	44,165	March 5, 1987	Central Bank of Houston, Houston, Texas
Sealy National Bank Sealy, Texas	N	1,100	8,000	7,800	4,679	March 5, 1987	Austin County State Bank, Belville, Texas
First National Bank of Sapulpa Sapulpa, Oklahoma	N	1,400	7,600	7,500	4,680	March 5, 1987	American National Bank and Trust Company, Sapulpa, Oklahoma
The First National Bank of Olney Olney, Texas	N	2,700	15,000	13,400	6,098	March 12, 1987	First National Bank of Olney, a newly-chartered subsidiary of Olney Bancshares, Inc., Olney, Texas
Western Bank El Paso, Texas	NM	4,900	39,700	39,000	33,113	March 12, 1987	MBank El Paso, National Association, El Paso, Texas
Expressway Bank Oklahoma City, Oklahoma	SM	2,400	20,600	17,600	14,438	March 12, 1987	First Interstate Bank of Oklahoma, N.A., Oklahoma City, Oklahoma
United Oklahoma Bank Oklahoma City, Oklahoma	SM	13,000	148,900	94,100	123,340	March 17, 1987	United Bank of Oklahoma, a newly-chartered subsidiary of United Bank Shares, Inc., Oklahoma City, Oklahoma
Red River National Bank in Clarksville Clarksville, Texas	N	4,700	22,600	22,500	12,403	March 19, 1987	State Bank of DeKalb, DeKalb, Texas
Sweeney Bank Sweeney, Texas	NM	4,800	17,700	17,600	10,355	March 19, 1987	The First State Bank of Louise, Louise, Texas
Clarks Fork National Bank Fromberg, Montana	N	1,500	8,200	7,800	2,741	March 19, 1987	Yellowstone Bank, Laurel, Montana
The Madill Bank and Trust Company Madill, Oklahoma	NM	7,200	37,000	36,800	23,168	March 20, 1987	First American National Bank, Tishomingo, Oklahoma
Morocco State Bank Morocco, Indiana	NM	2,700	15,000	14,100	5,483	March 20, 1987	DeMotte State Bank, DeMotte, Indiana
New City Bank Orange, California	SM	2,300	20,900	20,300	13,352	March 20, 1987	Colonial Bank, National Association, Orange, California, a newly-chartered national bank
The First State Bank in Billings Billings, Oklahoma	NM	1,800	10,100	9,400	4,392	March 26, 1987	First National Bank and Trust Company, Perry, Oklahoma, of Perry, Oklahoma
Tallulah State Bank & Trust Company Tallulah, Louisiana	NM	4,400	28,600	30,200	17,891	March 27, 1987	Bank of St. Joseph, St. Joseph, Louisiana
The First National Bank of Herington Herington, Kansas	N	4,400	21,500	19,900	9,288	April 2, 1987	The Bank of Herington, Herington, Kansas
The Southwestern Bank, National Association Houston, Texas	N	800	14,800	14,300	12,089	April 9, 1987	OMNIBANC North Belt, National Association, Houston, Texas

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1987

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
First National Bank of Bramon Bramon, Oklahoma	N	1,800	12,300	11,900	7,546	April 9, 1987	Community Bank, Shidler, Oklahoma
Commonwealth Bank Glendale, Colorado	NM	1,200	6,200	5,900	3,118	April 9, 1987	Prudential Bank, Denver, Colorado
Deer Lodge Bank and Trust Company Deer Lodge, Montana	NM	3,800	14,800	13,600	3,375	April 9, 1987	Peoples Bank of Deer Lodge, N. A., Deer Lodge, Montana, a newly-chartered subsidiary of Sandquist Corporation, Bozeman, Montana
Bank of Iron County Parowan, Utah	NM	6,300	20,100	19,900	3,819	April 10, 1987	Dixie State Bank, St. George, Utah
First Bank of Saginaw Saginaw, Texas	NM	6,400	30,700	30,000	17,537	April 16, 1987	Southwest Bank, Fort Worth, Texas
First Commercial Bank of Texas, National Association Houston, Texas	N	800	4,600	4,700	3,663	April 16, 1987	OMNIBANC North Belt, National Association, Houston, Texas
The Bank of North Mississippi Oakland, Mississippi	NM	4,800	14,600	13,700	4,786	April 22, 1987	Bank of Mississippi, Tupelo, Mississippi
The Peoples Bank Collinsville, Alabama	NM	3,300	12,900	12,000	3,091	April 22, 1987	Bank of Geraldine, Geraldine, Alabama
Osceola State Bank & Trust Company Osceola, Iowa	NM	2,200	9,500	8,400	4,689	April 23, 1987	American State Bank, Osceola, Iowa, a newly-chartered subsidiary of Osceola Bancorporation, Osceola, Iowa
Peoples State Bank Turkey, Texas	NM	1,200	6,000	5,900	3,219	April 30, 1987	Memphis State Bank, Memphis, Texas
American Bank of Commerce Denver, Colorado	SM	1,900	25,300	22,200	18,674	May 6, 1987	The Professional Bank of Colorado, Englewood, Colorado
First State Bank of Sisseton Sisseton, South Dakota	NM	4,100	21,200	19,700	10,999	May 7, 1987	Farmers & Merchants Bank and Trust Co., Aberdeen, South Dakota
Moreauville State Bank Moreauville, Louisiana	NM	4,600	16,800	16,900	3,237	May 8, 1987	Mansura State Bank, Mansura, Louisiana
Marlin National Bank Marlin, Texas	N	7,600	44,300	42,500	29,718	May 14, 1987	Bank of Longview, N. A., Longview, Texas
Todd County State Bank Long Prairie, Minnesota	NM	4,600	14,300	14,100	6,264	May 14, 1987	First National Bank of Long Prairie, Long Prairie, Minnesota
United Bank Libby, Montana	SM	4,900	15,800	14,500	4,757	May 14, 1987	First National Bank in Libby, Libby, Montana
The First National Bank of Elbow Lake Elbow Lake, Minnesota	N	2,800	17,500	16,200	15,234	May 14, 1987	First National Bank of Fergus Falls, Fergus Falls, Minnesota
Bank of Oak Grove Oak Grove, Louisiana	NM	4,800	23,300	22,900	12,609	May 21, 1987	West Carroll National Bank of Oak Grove, Oak Grove, Louisiana
Lake Austin National Bank Austin, Texas	N	4,300	42,500	37,000	28,113	May 21, 1987	Greater Texas Bank Southwest, N. A., Austin, Texas
The First State Bank Frisco, Texas	NM	5,900	40,100	39,300	23,172	June 4, 1987	Promenade National Bank, Richardson, Texas
The Benton State Bank Benton, Kansas	NM	2,100	9,100	8,400	5,575	June 11, 1987	First National Bank & Trust Company, El Dorado, Kansas
First State Bank Milford, Texas	NM	1,400	6,600	6,400	2,436	June 11, 1987	Ellis County State Bank, Milford, Texas, a newly-chartered state nonmember bank

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1987

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
Northwest Commercial Bank, N. A. Houston, Texas	N	1,600	12,100	12,100	4,347	June 11, 1987	Jersey Village Bank, Houston, Texas
Whittier Thrift and Loan Whittier, California	NM	2,100	15,500	14,800	3,151	June 12, 1987	Liberty Thrift and Loan, a newly-chartered subsidiary of Investors Bancor, Orange, California
Hamilton County State Bank Lockland, Ohio	NM	2,600	8,700	7,300	1,939	June 12, 1987	The Provident Bank, Cincinnati, Ohio
First Midwest Bank Maryville, Missouri	NM	7,200	25,200	25,100	3,011	June 18, 1987	First Bank of Maryville, Maryville, Missouri, a newly-chartered subsidiary of Citizens Bancshares Co., Chillicothe, Missouri
Pelican State Bank Mansfield, Louisiana	NM	1,700	6,900	6,800	4,057	June 24, 1987	Peoples State Bank, Many, Louisiana
Eighty Niner Bank of Coyle Coyle, Oklahoma	NM	1,200	5,900	5,400	3,827	June 25, 1987	Oklahoma State Bank of Mulhall, Mulhall, Oklahoma
South Denver National Bank Glendale, Colorado	N	7,500	54,400	47,700	40,111	June 25, 1987	First National Bank of Southeast Denver, Denver, Colorado
Liberty Bank & Trust Company Greenwood, Louisiana	NM	3,000	11,800	11,500	10,013	June 26, 1987	Peoples State Bank, Many, Louisiana
Lanesboro State Bank Lanesboro, Minnesota	NM	3,200	11,000	10,700	5,337	June 26, 1987	The Goodhue County National Bank of Red Wing, Red Wing, Minnesota
Bank of Brazoria Brazoria, Texas	NM	4,300	25,200	24,200	11,127	July 2, 1987	Moulton State Bank, Moulton, Texas
Citizens Bank Bryan, Texas	NM	9,600	39,100	36,300	30,450	July 2, 1987	UnitedBank-College Station National Association, College Station, Texas
Red Oak State Bank Red Oak, Texas	NM	8,300	40,500	37,700	11,303	July 9, 1987	The Red Oak State Bank, a newly-chartered subsidiary of ROSB Bancorp Inc., Red Oak, Texas
First Continental Bank of Rockrimmon, National Association Colorado Springs, Colorado	N	1,000	7,600	5,700	3,795	July 9, 1987	Valley Bank, Security, Colorado
Farmers & Merchants Bank Eufaula, Oklahoma	NM	3,100	14,400	13,800	10,574	July 23, 1987	Citizens National Bank & Trust of Muskogee, Muskogee, Oklahoma
Bank of Los Gatos, National Association Los Gatos, California	N	11,600	11,400	11,300	6,853	July 23, 1987	Bank of the West, San Francisco, California
Farmers State Bank Kanawha, Iowa	NM	2,900	15,400	14,300	14,789	July 30, 1987	The First National Bank of Clarion, Clarion, Iowa
Security State Bank Roosevelt, Oklahoma	NM	4,000	18,100	16,100	16,837	August 6, 1987	First National Bank in Altus, Altus, Oklahoma
The Security State Bank Davenport, Oklahoma	NM	1,900	9,200	8,600	7,517	August 6, 1987	First State Bank, Harrah, Oklahoma
The First National Bank of Luther Luther, Oklahoma	N	2,700	17,800	17,600	15,766	August 13, 1987	First Wagoner Bank and Trust Company, Wagoner, Oklahoma
The First National Bank of Navasota Navasota, Texas	N	4,200	30,800	28,200	25,877	August 13, 1987	First Bank, Navasota, Texas, a newly-chartered subsidiary of American Capital Corporation, Centerville, Texas
McNulty Banking Company St. Petersburg, Florida	NM	7,800	50,000	49,900	31,597	August 14, 1987	Barnett Bank of Pinellas County, St. Petersburg, Florida

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1987

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disbursements ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
American Exchange Bank and Trust Company Norman, Oklahoma	NM	17,000	98,400	94,800	71,170	August 20, 1987	Bank of Oklahoma, National Association, Tulsa, Oklahoma
Citizens Bank of Glendale Denver, Colorado	SM	1,200	3,700	3,100	3,091	August 27, 1987	Prudential Bank, Denver, Colorado
Rocky Mountain State Bank Salt Lake City, Utah	SM	7,000	17,600	16,300	5,397	August 28, 1987	Citibank (Utah), Salt Lake City, Utah
La Marque Bank La Marque, Texas	NM	1,800	5,600	6,100	3,881	September 10, 1987	The First Bank of La Marque, La Marque, Texas
Waxahachie Bank and Trust Company, Waxahachie, Texas	NM	7,900	65,800	62,300	36,035	September 10, 1987	Merchants State Bank, Dallas, Texas
First State Bank of Rollingstone Rollingstone, Minnesota	NM	4,500	14,500	13,700	5,444	September 11, 1987	Eastwood Bank St. Charles, St. Charles, Minnesota
The Talmage State Bank Talmage, Kansas	NM	1,500	6,700	6,600	2,725	September 17, 1987	The Abilene First National Bank, Abilene, Kansas
Breaux Bridge Bank and Trust Company, Breaux Bridge, Louisiana	NM	5,600	23,200	28,900	21,295	September 17, 1987	MidSouth National Bank, Lafayette, Louisiana
Steeplechase National Bank Houston, Texas	N	1,400	14,600	9,900	9,557	September 17, 1987	Cypress National Bank, Houston, Texas
Mustang National Bank Mustang, Oklahoma	SM	2,900	11,500	10,800	2,648	September 17, 1987	The First National Bank of Moore, Moore, Oklahoma
The Citizens Bank Drumright, Oklahoma	NM	3,800	33,400	30,600	28,099	September 24, 1987	The American National Bank of Bristow, Bristow, Oklahoma
Commonwealth Bank Torrance, California	NM	7,900	75,100	78,000	23,057	September 25, 1987	Capital Bank of California, Los Angeles, California
Valley State Bank Los Angeles, California	NM	8,800	76,500	76,300	30,129	September 28, 1987	Capital Bank of California, Los Angeles, California
Security State Bank Oxford, Nebraska	NM	2,900	11,300	11,000	7,448	October 1, 1987	Union Bank and Trust Company, Lincoln, Nebraska
Clay County State Bank Dilworth, Minnesota	NM	3,700	10,500	10,200	1,503	October 1, 1987	Northwestern State Bank, Ulen, Minnesota, Ulen, Minnesota
Western Bank-North Wilcrest, National Association Houston, Texas	N	2,300	44,800	43,800	33,082	October 1, 1987	Texas Commerce Bank National Association, Houston, Texas
Western Bank-Westwood, National Association Houston, Texas	N	1,900	46,900	44,800	34,127	October 1, 1987	Texas Commerce Bank National Association, Houston, Texas
The First National Bank of Brush Brush, Colorado	N	4,400	22,300	21,300	10,093	October 8, 1987	The Fort Lupton State Bank, Fort Lupton, Colorado
Citizens Bank of Ray Ray, North Dakota	NM	2,400	12,100	11,400	3,875	October 15, 1987	First National Bank & Trust Company of Williston, Williston, North Dakota
Pioneer Bank of Fountain Fountain, Colorado	NM	3,600	11,000	10,400	1,133	October 21, 1987	Green Mountain Bank, Lakewood, Colorado
First State Bank of Bovina Bovina, Texas	NM	1,900	16,400	14,400	4,098	October 22, 1987	First Bank of Muleshoe, Muleshoe, Texas
New World National Bank Pittsburgh, Pennsylvania	N	2,300	12,500	10,800	9,042	October 22, 1987	Lincoln National Bank, a newly-chartered subsidiary of Equimark Corporation, Greensburg, Pennsylvania

Table 123. INSURED BANKS REQUIRING DISBURSEMENTS BY THE FEDERAL DEPOSIT INSURANCE CORPORATION DURING 1987

NAME AND LOCATION	Class of Bank	Number of Depositors or Accounts	Total Assets ($000's)	Total Deposits ($000's)	FDIC Disburse-ments ($000's)	Date of Closing, Deposit Assumption, Merger, or Assistance	Receiver, Assuming Bank, Transferee Bank, or Merging Bank and Location
Delta Pacific Bank Pittsburg, California	NM	3,200	18,200	17,600	3,411	October 30, 1987	Central Bank, San Francisco, California
American Security Bank North Platte, Nebraska	NM	6,300	24,700	24,000	17,941	October 30, 1987	North Platte National Bank, North Platte, Nebraska
Capital Bank & Trust Co. Baton Rouge, Louisiana	NM	54,600	372,200	308,700	118,656	October 30, 1987	Capital Bank & Trust Co., National Association, Baton Rouge, Louisiana, a new "bridge" bank organized by the Federal Deposit Insurance Corporation
Middle Park Bank Granby, Colorado	NM	5,500	33,600	29,500	13,499	November 10, 1987	Bank of Kremmling, Kremmling, Colorado
Bank of Winter Park Winter Park, Colorado	NM	2,900	25,000	22,300	19,571	November 10, 1987	The Bank of Aspen, Aspen, Colorado
West Texas State Bank of Canyon Canyon, Texas	NM	6,100	19,900	19,100	3,748	November 13, 1987	First National Bank of Amarillo, Amarillo, Texas
The Peoples Bank and Trust of Iberia Parish New Iberia, Louisiana	NM	12,900	76,100	77,700	18,160	November 19, 1987	The New Iberia Bank, a subsidiary of New Iberia Bancorp, Inc., New Iberia, Louisiana
Republic Bank Oklahoma City, Oklahoma	NM	7,900	56,300	55,400	44,410	November 19, 1987	First National Bank in Bartlesville, Bartlesville, Oklahoma
Madison Bank and Trust Company Richmond, Louisiana	NM	1,400	9,800	10,400	3,601	December 3, 1987	Guaranty Bank & Trust Company of Delhi, Delhi, Louisiana
State Bank of Commerce Slidell, Louisiana	NM	3,300	47,800	46,300	14,269	December 3, 1987	Peoples Bank & Trust Company of St. Bernard, Chalmette, Louisiana
Center State Bank Center, Nebraska	NM	2,000	8,400	7,800	5,914	December 3, 1987	Farmers & Merchants State Bank, Bloomfield, Nebraska
Crofton State Bank Crofton, Nebraska	NM	3,500	11,300	10,600	7,356	December 3, 1987	Farmers & Merchants State Bank, Bloomfield, Nebraska
State Bank of Jansen Jansen, Nebraska	NM	1,200	4,900	4,600	1,109	December 3, 1987	Security National Bank, Superior, Nebraska
First State Bank Oakdale, Nebraska	NM	1,400	5,900	5,600	2,366	December 3, 1987	First United Bank, Neligh, Nebraska
The Farmers National Bank of Cordell Cordell, Oklahoma	N	4,600	69,100	60,200	55,003	December 3, 1987	First National Bank and Trust Company, Weatherford, Oklahoma
Climbing Hill Savings Bank Climbing Hill, Iowa	NM	1,000	5,300	5,100	2,944	December 3, 1987	First Trust & Savings Bank, Moville, Iowa
The Peoples Bank Olive Hill, Kentucky	NM	6,200	39,700	38,600	25,013	December 3, 1987	The Commercial Bank of Grayson, Grayson, Kentucky
Louisiana Bank & Trust Company Crowley, Louisiana	NM	4,200	17,900	20,200	7,429	December 10, 1987	The Evangeline Bank and Trust Co., Ville Platt, Louisiana
America Bank in Louisiana Morgan City, Louisiana	NM	3,408	16,400	15,700	4,080	December 10, 1987	The St. Mary Bank and Trust Company, Franklin, Louisiana
The First National Bank in Rhome Rhome, Texas	N	2,900	9,400	9,400	1,674	December 10, 1987	Continental State Bank, Boyd, Texas
Bancfirst-Austin, National Association Austin, Texas	N	3,900	25,700	23,700	22,779	December 10, 1987	Texas Capital Bank-Fort Bend, Richmond, Texas
Heritage National Bank Austin, Texas	N	5,800	50,200	48,400	44,833	December 10, 1987	Community National Bank, Austin, Texas

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Lewis and Clark State Bank Lake Oswego, Oregon	NM	3,300	19,000	19,000	2,550	December 11, 1987	Key Bank of Oregon, Portland, Oregon
First Interstate Bank of Alaska Anchorage, Alaska	NM	37,000	375,400	368,300	135,715	December 11, 1987	National Bank of Alaska, Anchorage, Alaska
American Bank of Commerce Lake Charles, Louisiana	NM	6,300	33,500	34,500	9,291	December 17, 1987	National Bank of Commerce of Lake Charles, Lake Charles, Louisiana
USBank Denton, Texas	NM	25,600	88,000	84,700	21,057	December 17, 1987	United National Bank, Dallas, Texas
Bank of Mabank Mabank, Texas	NM	6,400	44,100	43,200	8,021	December 17, 1987	First State Bank, Athens, Texas

CLOSED BANKS AND ASSISTANCE TRANSACTIONS 1988 2202A SYSC
AG BANKS ARE CIRCLED.

BANKS CLOSED - 1988

** 1. THE PEOPLES STATE BANK AND TRUST COMPANY, Ellinwood, Kansas. Total assets of $40.6 million. Assistance granted under Section 13(c) on January 7, 1988. FDIC's financial assistance consits of a maximum contribution of $5.3 million with private investors injecting an additional $2.75 million. (PR 1-7-88).

2. COMMERCE BANK OF PLANO, Plano, Texas. Closed on January 7, 1988. Total assets of $43.8 million. Insured deposits transferred to Quinlan State Bank, Quinlan, Texas. Total deposits $40.8 million, including about $251,000 in 36 accounts that exceeded the federal insurance limit. FDIC outlay $40.6 million. (PR 3-88).

3. THE NORTH AMERICAN BANK, Phoenix, Arizona. Closed on January 8, 1988. Total assets of $30.5 million. Insured deposits transferred to Columbia Bank, Avondale, Arizona. Total deposits $29.9 million, including about $426,000 in 23 accounts that exceeded the federal insurance limit. FDIC outlay $29.5 million. (PR 4-88).

** 4. JEFFERSON GUARANTY BANK, Metairie, Louisiana. Final approval of assistance under Section 13(c) granted on January 13, 1988. FDIC assistance consists of a one-time $57.5 million contribution to enhance reserves for losses and capital. For details see PR 164-87, (9-16-87).

5. THE MORAN NATIONAL BANK, Moran, Texas. Closed on January 14, 1988. Total assets of $16.8 million. Deposits of $15.9 million assumed by The Peoples State Bank, Clyde, Texas. FDIC outlay $7.681 million. (PR 7-88). This was a whole bank transaction.

6. COLONIAL BANK, New Orleans, Louisiana. Closed on January 14, 1988. Total assets of $47.1 million. Deposits of $47.4 million assumed by Pontchartrain State Bank, Metairie, Louisiana. FDIC outlay $4.536 million. (PR 8-88) This was a whole bank transaction.

7. BALBOA NATIONAL BANK, National City, California. Closed on January 14, 1988. Total assets of $25.6 million. Payoff. Deposits of $25.2 million, including $75,000 in 16 accounts that exceeded the insurance limit. FDIC outlay $25.2 million. (PR 9-88).

8. AREDALE STATE BANK, Aredale, Iowa. Closed on January 20, 1988. Total assets of $10.6 million. Deposits of $9.9 million assumed by First Security Bank & Trust Co., Charles City, Iowa. FDIC outlay $1.7 million. (PR 11-88).

9. CEDAR VALE STATE BANK, Cedar Vale, Kansas. Closed on January 21, 1988. Total assets of $11.9 million. Deposits of $11.5 million assumed by Chisholm Trail State Bank, Wichita, Kansas. FDIC outlay $3.3 million. (PR 12-88.

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS - 1988 2202A SYSC
AG BANKS ARE CIRCLED.

10. WILLISTON BASIN STATE BANK, Williston, North Dakota. Closed on January 21, 1988. Total assets of $12.3 million. Deposits of $12.1 million assumed by First National Bank & Trust Co. of Williston, Williston, North Dakota. FDIC outlay $4.6 million. (PR 13-88).

11. LOUISIANA COMMERCIAL BANK, Madisonville, Louisiana. Closed on January 21, 1988. Total assets of $31.1 million. Deposits of $28.7 million assumed by Pontchartrain State Bank, Metairie, Louisiana. FDIC outlay $6.8 million. This was a whole bank transaction. (PR 14-88).

12. SAM HOUSTON NATIONAL BANK OF WALKER COUNTY, Huntsville, Texas. Closed on January 21, 1988. Total assets of $38.2 million. Deposits of $37.5 million assumed by The Huntsville National Bank, Huntsville, Texas. FDIC outlay $34.2 million. (PR 15-88).

13. UNITED MERCANTILE BANK, Shreveport, Louisiana. Closed January 21, 1988. Total assets of $67.3 million. Deposits of $70.1 million assumed by Hibernia National Bank, New Orleans. FDIC outlay $29.8 million. (PR 16-88).

14. NORTHWEST BANK, Dallas, Texas. Closed on January 21, 1988. Total assets of $57.1 million. Insured deposits transferred to Haltom Bank (American Bank of Haltom City) Haltom City, Texas. Deposits of $51.9 million, including about $1.6 million in 45 accounts that exceeded the insurance limit. (PR 17-88).

15. BANK OF CASPER, Casper, Wyoming. Closed on January22, 1988. Total assets of $5.7 million. Deposits of $5.4 million assumed by First Wyoming Bank-Casper, Casper, Wyoming. FDIC outlay $875,000. This was a whole bank transaction. (PR 18-88).

16. CITIZENS STATE BANK, Hayfield, Minnesota. Total assets of $30.1 million. Assistance granted under Section 13(c) on January 27, 1988. Assistance consists of an injection of $900,000 to offset certain losses of the bank. Private investors will contribute an additional $1.8 million. (PR 19-88)

17. PORT CITY BANK, Houston, Texas. Total assets of $59.7 million. Deposits of $59.3 million assumed by Channelview Bank, Channelville, Texas. FDIC outlay $59.3 million. (PR 20-88).

18. HOUSTON COMMERCE BANK, Houston, Texas. Total assts of $40.0 million. Closed on January 28, 1988. Payoff. Deposits totalled $36.6 million in 2,200 accounts, including about $337,000 in 33 accounts that exceeded the insurance limit. FDIC outlay $36.3 million. (PR 21-88).

19-20. ALASKA MUTUAL BANK AND UNITED BANK ALASKA. Final approval of 13(c) assistance granted on January 28, 1988. FDIC assistance consists of a one-time $295 million contribution to reserves and capital. (For details, see PR 115-87, 6-23-87).

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS - 1988
AG BANKS ARE CIRCLED.

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21. THE TRUST BANK, Hialeah, Florida. Total assets of $173.0 million. Closed on January 29, 1988. Insured deposits transferred to Republic National Bank of Miami, Miami, Florida. Total deposits $159.6 million, including $3.9 million in 83 accounts that exceeded the insurance limit. FDIC outlay $28.2 million. (PR 22-88).

22. THE BANK OF LOUISBURG, Louisburg, Kansas. Total assets of $20.7 million. Closed on February 3, 1988. Deposits of $20.7 million assumed by Peoples National Bank & Trust, Ottawa, Kansas. FDIC outlay $4.1 million. This was a whole bank transaction. (PR 24-88).

23. BANK OF DALLAS, Dallas, Texas. Total assets of $193.9 million. Closed on February 5, 1988. Deposits of $170.2 million assumed by Deposit Guaranty Bank, Dallas, Texas, a newly-chartered state bank. FDIC outlay $70.2 million. This was a whole bank transaction. (PR 25-88).

24. FIRST STATE BANK, Oilton, Oklahoma. Total assets of $11.8 million. Closed on February 11, 1988. Deposits of $11.7 million assumed by The American National Bank of Bristow, Bristow, Oklahoma. FDIC outlay $2.7 million. (PR-27-88).

25. FIRST HOUSTON BANK, N.A., Houston, Texas. Total assets of $33.9 million. Closed on February 11, 1988. Insured deposits transferred to Texas Commerce Bank, National Association, Houston, Texas. Deposits of $28.1 million, including about $119,000 in four accounts that exceeded the federal insurance limit. FDIC outlay $32.3 million. (PR-28-88).

26. THE FIRST STATE BANK, White Cloud, Michigan. Total assets of $38.7 million. Closed on February 12, 1988. Deposits of $36.5 million assumed by The Peoples State Bank, St. Joseph, Michigan. FDIC outlay $10.5 million. (PR-29-88).

27. GLOBAL BANK, Hialeah, Florida. Total assets of $18.7 million. Closed on February 12, 1988. Deposits of $19.2 million assumed by Ocean Bank of Miami. FDIC outlay $5.6 million. (PR-30-88).

28. BASIN STATE BANK,, Vernal, Utah. Total assets of $11.8 million. Closed on February 12, 1988. Deposits of $11.3 million assumed by Zions First National Bank, Salt Lake City, Utah. FDIC outlay $9.1 million. (PR-31-88)

29. AMERICAN NATIONAL BANK, Parma, Ohio. Total assets of $27.2 million. Assistance granted under Section 13(c) on February 12, 1988, to prevent failure. FDIC's assistance consists solely of an indemnification, limited to $1 million, against unknown losses discovered within the next two years. (PR-32-88).

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS - 1988 2202A SYSC
AG BANKS ARE CIRCLED, WHOLE BANK P&As CHECKED

30. THE FARMERS AND MERCHANTS BANK OF HILL CITY, Hill City, Kansas. Total assets of $16.9 million. Closed on February 18, 1988. Deposits of $16.6 million assumed by Farmers and Merchants Bank of Hill City, Hill City, Kansas, a newly-chartered subsidiary of Stockton Bancshares, Inc., Stockton, Kansas. This was a whole bank transaction. FDIC outlay $4.9 million. (PR-33-88). ✓

31. MUSTANG COMMUNITY BANK, Mustang, Oklahoma. Total assets of $9.8 million. Closed on February 18, 1988. Deposits of $9.6 million assumed by The First National Bank of Moore, Moore, Oklahoma. This was a whole bank transaction. FDIC outlay $2.5 million. (PR-34-88). ✓

32. COLLIN COUNTY BANK, Melissa, Texas. Total assets of $11.9 million. Closed on February 25, 1988. Deposits of $11.9 million assumed by Willow Bend National Bank, Plano, Texas. This was a whole bank transaction. FDIC outlay $3.2 million. (PR-41-88). ✓

33. HARRIS COUNTY BANK HOUSTON, N.A., Houston, Texas. Total assets of $81.0 million. Closed on February 25, 1988. Insured deposits transferred to OMNIBANC South, National Association, Houston, Texas. Deposits of $78.3 million including about $663,000 that exceeded the insurance limit. FDIC outlay $30.8 million. (PR-40-88).

34. AMERICAN NATIONAL BANK, Stafford, Texas. Total assets of $30.3 million. Closed on February 25, 1988. Deposits of $26.3 million assumed by Park National Bank of Houston, Houston, Texas. FDIC outlay $8.5 million. This was a whole bank transaction. (PR-42-88). ✓

35. THE HOME STATE BANK, Russell, Kansas. Total assets of $55.0 million. Closed on March 3, 1988. Deposits of $53.7 million assumed by First National Bank and Trust Company, Salina, Kansas. FDIC outlay $18.3 million. (PR-45-88).

36. FLOWER MOUND BANK, Flower Mound, Texas. Total assets of $17.7 million. Closed on March 3, 1988. Deposits of $17.2 million assumed by Security Bank, Flower Mound, Texas, a newly-chartered subsidiary of Security Bank Shares F.M., Flower Mound, Texas. FDIC outlay $3.8 million. This was a whole bank transaction. (PR-46-88). ✓

37. THE FIRST NATIONAL BANK AND TRUST COMPANY OF CUSHING, Cushing, Oklahoma. Total assets of $61.7 million. Closed on March 10, 1988. Insured deposits transferred to The American National Bank of Bristow, Bristow, Oklahoma. Deposits of $59.1 million including about $123,000 in 30 accounts that exceeded the insurance limit. FDIC outlay $22.3 million. (PR-48-88).

38. FRENCHMAN VALLEY BANK, Palisade, Nebraska. Total assets of $2.7 million. Closed on March 10, 1988. Payoff. Deposits of $2.6 million, including about $101,000 in one account that exceeded the insurance limit. FDIC outlay $2.4 million. (PR-49-88).

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS - 1988
AG BANKS ARE CIRCLED, WHOLE BANK P&As CHECKED

39. HAYESVILLE SAVINGS BANK, Hayesville, Iowa. Total assets of $37.2 million. Closed on March 10, 1988. Insured deposits transferred to Farmers Savings Bank, Fremont, Iowa. Deposits of $36.4 million including about $84,000 in 15 accounts that exceeded the insurance limit. FDIC outlay $11.6 million. (PR-50-88).

40. FIRST AMERICAN BANK AND TRUST OF BAYTOWN, Baytown, Texas. Total assets of $39.8 million. Closed on March 10, 1988. Deposits of $38.5 million assumed by Citizens Bank and Trust Company of Baytown, Baytown, Texas. FDIC outlay $14.6 million. (PR-51-88).

41. FIRST AMERICAN BANK AND TRUST OF FRIENDSWOOD, Friendswood, Texas. Total assets of $6.9 million. Payoff. Deposits of $6.4 million including about $143,000 in 7 accounts that exceeded the insurance limit. FDIC outlay $6.4 million (PR-52-88).

42. FIRST AMERICAN BANK AND TRUST OF MANVEL, Manvel, Texas. Total assets of $13.3 million. Closed on March 10, 1988. Insured deposits transferred to First National Bank of Alvin, Alvin, Texas. Deposits of $12.5 million including $10,000 in five accounts that exceeded the insurance limit. FDIC outlay $10.7 million. (PR-53-88).

43. SECURITY BANK OF DENVER, N.A., Denver, Colorado. Total assets of $16.8 million. Closed on March 10, 1988. Deposits of $15.0 million assumed by City Center National Bank of Aurora, Aurora, Colorado. FDIC outlay $2.3 million. This was a whole bank transaction. (PR-54-88). ✓

44. FIRST INTERCOUNTY BANK OF NEW YORK, New York, N.Y. Total assets of $40.6 million. Closed on March 10, 1988. Insured deposits transferred to Community National Bank and Trust Company, New York, N.Y. Deposits of $36.6 million, including about $500,000 in 16 accounts that exceeded the insurance limit. FDIC outlay $26.3 million. (PR-55-88).

45. MOREHEAD NATIONAL BANK, Morehead, Kentucky. Total assets of $8.2 million. Assistance granted under Section 13(c) on March 15, 1988. FDIC assistance consists of an injection of $1,071,150 to offset certain losses in the bank. (PR 56-88).

46. FIRST REPUBLICBANK CORP., Dallas, Texas. Assistance granted under Section 13(c) on March 17, 1988. The assistance consists of a $1 billion advance in the form of a six-month subordinated note. The note is guaranteed by First RepublickBank Corp. and is collateralized by a pledge of certain assets of the holding company. (PR 57-88).

47. FIRST NATIONAL BANK OF PORT ALLEN, Port Allen, Louisiana. Total assets of $19.1 million. Closed on March 17, 1988. Deposits of $17.6 million assumed by Iberville Trust and Savings Bank, Plaquemine, Louisiana. FDIC outlay $3.5 million. This was a whole bank transaction. (PR 55-88). ✓

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48. CITIZENS STATE BANK, Gibbon, Minnesota. Total assets of $15.0 million. Closed on March 18, 1988. Deposits of $14.9 million assumed by Minnesota Valley Bank, Redwood Falls, Minnesota. FDIC outlay $6.9 million. (PR 61-88).

49. STATE BANK OF MORGAN, Morgan, Minnesota. Total assets of $20.0 million. Closed on March 18, 1988. Deposits of $19.4 million assumed by Farmers and Merchants State Bank, Springfield, Minnesota. FDIC outlay $6.9 million. (PR 62-88).

50. CASHION COMMUNITY BANK, Cashion, Oklahoma. Total assets of $6.6 million. Closed on March 24, 1988. Deposits of $6.4 million assumed by Community State Bank, Cashion, Oklahoma, a newly-chartered subsidiary of Warrior Bank Corporation, Inc., Cashion, Oklahoma. FDIC outlay $1.6 million. (PR-64-88).

51. CENTURY BANK, Tulsa, Oklahoma. Total assets of $70.5 million. Closed on March 24, 1988. Deposits of $69.4 million assumed by The Fourth National Bank of Tulsa, Tulsa, Oklahoma. FDIC outlay $16.6 million. (PR-65-88).

52. FIRST NATIONAL BANK OF DEL CITY, Del City, Oklahoma. Total assets $29.6 million. Closed on March 25, 1988. Insured deposits transferred to Lincoln National Bank, Oklahoma City, Oklahoma. Deposits of $26.2 million, including about $29,000 in 40 accounts that exceeded the insurance limit. FDIC outlay $22.2 million. (PR-66-88).

53. FIRST BANK & TRUST, Tomball, Texas. Total assets of $56.7 million. Closed on March 31, 1988. Deposits of $56.7 million assumed by The Hamilton National Bank, Hamilton, Texas. FDIC outlay $23.8 million. (PR-67-88).

54. UNION BANK AND TRUST COMPANY, Oklahoma City, Oklahoma. Total assets of $173.1 million. Closed on March 31, 1988. Deposits of $167.5 million assumed by a newly-chartered bank which kept the same name. FDIC outlay $10.1 million. This was a whole bank transaction. (PR 68-88). ✓

55. CENTRAL NATIONAL BANK, Dallas, Texas. Total assets of $15.4 million. Closed on April 7, 1988. Deposits of $15.8 million assumed by Deposit Guaranty Bank, Dallas, Texas. FDIC outlay $5.8 million. (PR 70-88).

56. HOME STATE BANK, Trent, Texas. Total assets of $5.9 million. Closed on April 7, 1988. Insured deposits transferred to The Farmers and Merchants National Bank of Merkel, Merkel, Texas. Deposits of $5.8 million, including $42,000 in three accounts that exceeded the insurance limit. FDIC outlay $2.5 million. (PR 71-88).

57. CITIZENS STATE BANK OF EAGLE BEND, Eagle Bend, Minnesota. Total assets of $9.4 million. Closed on April 8, 1988. Deposits of $9.3 million assumed by Lake Country State Bank, Long Prairie, Minnesota. FDIC outlay $1.6 million. This was a whole bank transaction. (PR 72-88). ✓

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS - 1988
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58. JENNINGS BANK, Jennings, Kansas. Total assets of $6.9 million. Closed on April 14, 1988. Deposits of $6.9 million assumed by Bank of Oberlin, Oberlin, Kansas. FDIC outlay $471,000. This was a whole bank transaction. (PR 75-88). ✓

59. CY-FAIR BANK, NATIONAL ASSOCIATION, Harris County, Texas. Total assets of $13.1 million. Closed on April 14, 1988. Insured deposits transferred to Charter National Bank-Willowbrook, Houston, Texas. Deposits of $11.6 million, including $106,000 in 11 accounts that exceeded the insurance limit. FDIC outlay $4.328 million. (PR 76-88).

60. METROPOLITAN INDUSTRIAL BANK, Denver, Colorado. Total assets of $13.2 million. Closed on April 15, 1988. Insured deposits transferred to Resources Industrial Bank, Denver, Colorado. Deposits of $12.7 million, including $129,000 in four accounts that exceeded the insurance limit. FDIC outlay $3.957 million. (PR 77-88).

61. COLONIAL THRIFT AND LOAN ASSOCIATION, Culver City, California. Total assets of $23.6 million. Closed on April 15, 1988. Deposits of $22.5 million assumed by Southern Pacific Thrift and Loan Association, Beverly Hills, California. FDIC outlay $4.6 million. (PR 78-88).

62. BURNS STATE BANK, Burns, Kansas. Total assets of $4 million. Assistance under Section 13(c) granted on April 19, 1988. Assistance facilitated the merger of Burns State Bank into First National Bank & Trust Company, El Dorado, Kansas. FDIC assistance consisted of a cash infusion of $567,000. FDIC outlay $567,000. (PR 80-88).

63. MC ALLEN STATE BANK, McAllen, Texas. Total assets of $590.7 million. Closed on April 19, 1988. Deposits of $550 million assumed by First City National Bank of Houston, Houston, Texas. Both banks are owned by First City Bancorporation, Houston. The transaction was part of the pending assistance plan for subsidiary banks of First City Bancorporation. No FDIC outlay. (PR 83-88).

64. FIRST CITY BANCORPORATION, Houston, Texas. Total assets of $11 billion. Final approval granted to 13(c) assistance plan on April 20, 1988, FDIC assistance is in the form of $970 million in notes. $500 million in new capital has been raised through a stock offering. FDIC outlay $970 million. (PR 82-88).

65. BANK OF SANTA FE, Santa Fe, New Mexico. Total assets of $101 million. Assistance granted under Section 13(c) on April 20, 1988. FDIC will purchase $12 million of non-voting floating rate preferred stock and a $5 million loan participation in a pool of assets. The FDIC also has a commitment to purchase up to $6 million in additional assets. Concurrently, $7 million of additional capital will be contributed by Robert E. Keyes. FDIC outlay $17 million. (PR 84-88).

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66. TEXAS NATIONAL BANK, Austin, Texas. Total assets of $16.2 million. Closed on April 21, 1988. Payoff. Deposits of $16.9 million including about $95,000 in seven accounts that exceeded the insurance limit. FDIC outlay $16.8 million. (PR 85-88).

67. CITIZENS NATIONAL BANK, Colorado Springs, Colorado. Total asssets of $17.6 million. Closed on April 21, 1988. Insured deposits transferred to State Bank and Trust of Colorado Springs, Colorado Springs, Colorado. Deposits of $14.4 million including $42,000 in 12 accounts that exceeded the insurance limit. FDIC outlay $14.3 million. (PR 86-88).

68. UNITY BANK, Dayton, Ohio. Total assets of $6.2 million. Closed on April 22, 1988. Deposits of $5.9 million assumed by The First National Bank, Dayton, Ohio. FDIC outlay $5.1 million. (PR 87-88).

69. THE VILLAGE BANK, Great Falls, Montana. Total assets of $23.6 million. Closed on April 22, 1988. Deposits of $22.1 million assumed by The Village Bank of Great Falls, Great Falls, Montana, a newly-chartered subsidiary of Shelby Investments, Inc., Great Falls, Montana. FDIC outlay $1.3 million. This was a whole bank transaction. (PR 88-88). ✓

NOTE: NUMBER DELETED HERE TO ACCOUNT FOR COUNTING ALASKA TRANSACTION AS ONE INSTEAD OF TWO TRANSACTIONS.

69A. BOND COUNTY BANK, Pocahontas, Illinois. Total assets of $6.6 million. Assistance granted under Section 13(c) on April 25, 1988. FDIC assistance consists of a cash infusion of $450,000, a guarantee of up to $825,000 covering loan losses, and an indemnity of up to $150,000 to cover possible losses in contingent liabilities. Bank acquired by an investor group headed by Karl D. Tauber. Investors acquired all of the bank stock and contributed $450,000 to the bank's capital structure. FDIC outlay $450,000. (PR 89-88).

70. CITIZENS BANK OF TULSA, Tulsa, Oklahoma. Total assets of $8.8 million. Assistance granted under Section 13(c) on April 28, 1988. FDIC assistance consists of a cash infusion of $2.075 million. Investor group headed by George A. Switlyk contributed $720,000 to the bank's capital structure. FDIC outlay $2.075 million. (PR 91-88).

71. OAK PARK BANK, Oak Park Heights, Minnesota. Total assets of $14.1 million. Closed on April 29, 1988. Deposits of $15.3 million assumed by The St. Croix Valley Bank, Oak Park Heights, Minnesota, a newly-chartered subsidiary of The St. Croix Valley Bankshares, Inc., Bloomington, Minnesota. FDIC outlay $3.348 million. This was a whole bank transaction. (PR 93-88). ✓

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72. LINCOLN NATIONAL BANK, Arlington, Texas. Total assets of $12.3 million. Closed on May 5, 1988. Deposits of $11.5 million assumed by Tarrant Bank, Fort Worth, Texas. FDIC outlay $2.768 million. This was a whole bank transaction. (PR 94-88) ✓

73. UNION BANK & TRUST, Dallas, Texas. Total assets of $37.7 million. Closed on May 5, 1988. Deposits of $35.6 million assumed by Cornerstone Bank, National Association, Dallas, Texas. FDIC outlay $8.786 million. This was a whole bank transaction. (PR 95-88) ✓

74. FOREST CITY BANK AND TRUST COMPANY, Forest City, Iowa. Total assets of $27.2 million. Closed on May 6, 1988. Deposits of $26.5 million assumed by Liberty Bank and Trust, Forest City, Iowa, a newly-chartered subsidiary of Winnebago County Bancorporation, Hampton, Iowa. FDIC outlay $529,000. This was a whole bank transaction. PR 96-88) ✓

75. THE FIRST STATE BANK, Childress, Texas. Total assets of $15.0 million. Closed on May 12, 1988. Deposits of $14.3 million assumed by Citizens State Bank of Dalhart, Dalhart, Texas. FDIC outlay $6.8 million. (PR 101-88).

76. WESTSIDE NATIONAL BANK, Houston, Texas. Total assets of $37.3 million. Closed on May 13, 1988. Deposits of $38.1 million assumed by Compass Bank, National Association (formerly Weslayan Bank, National Association), Houston, Texas. FDIC outlay $16.6 million. (PR 102-88).

77. THE AMERICAN STATE BANK, Yankton, South Dakota. Total assets of $67 million. Assistance granted under Section 13(c) on May 18, 1988. Concurrent with the granting of assistance The American Bank was merged with First Dakota National Bank, Yankton, South Dakota. FDIC assistance consists of a contribution of $4.275 million to offset losses in the bank. FDIC outlay $4.275 million. (PR 103-88).

78. NATIONAL BANK OF TEXAS, Houston, Texas. Total assets of about $19.9 million. Deposits of $25.1 million assumed by Old Braeswood National Bank, Houston, Texas. FDIC outlay $10.5 million. (PR 104-88).

79. LONE STAR BANK, Harris County (Baytown), Texas. Total assets of $12.9 million. Closed on May 26, 1988. Deposits of $12.5 million assumed by Citizens Bank and Trust Company of Baytown, Baytown, Texas. FDIC outlay $7.9 million. (PR 106-88).

80. FIRST NATIONAL BANK OF KINGWOOD, Kingwood, Texas. Total assets of $16.0 million. Closed on May 26, 1988. Deposits of $15.0 million assumed by Interstate Bank North, Houston, Texas. FDIC outlay $4.4 million. (PR 107-88).

81. THE FIRST STATE BANK, Rockwall, Texas. Total assets of $39.2 million. Closed on May 26, 1988. Insured deposits transferred to Community Bank, Rockwall, Texas, a newly-chartered susidiary of Community Bankers, Inc., Granbury, Texas. Deposits of $39.6 million, including $1.9 million in 53 accounts that exceeded the insurance limit. FDIC outlay $29.7 million. (PR 108-88).

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82. SANDY STATE BANK, Sandy, Utah. Total assets of $8.6 million. Closed on May 27, 1988. Deposits of $6.7 million assumed by Zions First National Bank, Salt Lake City, Utah. FDIC outlay $5.3 million. (PR-109-88).

83. COMMUNITY STATE BANK, Whiting, Iowa. Total assets of $5.8 million. Closed on June 2, 1988. Deposits of $5.3 million assumed by Sloan State Bank, Sloan, Iowa. FDIC outlay $480,000. Whole Bank Transaction. (PR-111-88). ✓

84. GUARANTY BANK, Dallas, Texas. Total assets of $81.8 million. Closed June 2, 1988. Deposits of $73.7 million assumed by The Red Oak State Bank, Red Oak, Texas. FDIC outlay $38.842 million. Whole Bank Transaction. (PR-112-88). ✓

85. SECURITY BANK OF BOULDER, Boulder Colorado. Total assets of $13.4 million. Closed June 2, 1988. Deposits of $13 million assumed by First National Bank in Boulder, Boulder, Colorado. FDIC outlay $559,000. Whole Bank Transaction. (PR-113-88). ✓

86. SECURITY BANK OF AURORA, Aurora, Colorado. Total assets of $10.7 million. Closed June 2, 1988. Deposits of $10.2 million assumed by Security Bank of Colorado, a newly-chartered subsidiary of First United Bancorporation, Inc., Aurora, Colorado. FDIC outlay $957,000. Whole Bank Transaction. (PR-114-88). ✓

87. RIVER PLAZA NATIONAL BANK, Fort Worth, Texas. Total assets of $43.5 million. Closed June 2, 1988. Deposits of $43.7 million assumed by Tarrant Bank, Fort Worth, Texas, FDIC outlay $15.9 million. Whole Bank Transaction. (PR-115-88). ✓

88. WILLIAMSTOWN BANK, NATIONAL ASSOCIATION, Houston, Texas. Total assets of $23.6 million. Closed June 2, 1988. Deposits of $23.5 million assumed by City National Bank, Houston, Texas. Whole Bank Transaction. (PR-116-88). ✓

89. PARKWAY BANK AND TRUST, Dallas, Texas. Total assets of $42.4 million. Closed June 9, 1988. Deposits of $39.3 million assumed by Deposit Guaranty Bank, Dallas, Texas. (PR-119-88).

90. BANK OF IMBODEN, Imboden, Arkansas. Total assets of $17.8 million. Assistance granted under Section 13(c) on June 14, 1988. Concurrent with the granting of assistance Bank of Imboden was acquired by Spring Rivers Bancshares, Inc., Imboden, Arkansas, a newly formed bank holding company. FDIC assistance consisted of $2.1 million to offset losses in the bank. FDIC outlay $2.1 million. (PR-120-88).

91. CENTURY NATIONAL BANK, Austin, Texas. Total assets of $56.5 million. Closed June 16, 1988. Deposits of $56.6 million assumed by Community National Bank, Austin, Texas. (PR-121-88).

92. KINGSLAND NATIONAL BANK, Kingsland, Texas. Total assets $13.7 million. Closed June 16, 1988. Deposits of $13.2 million assumed by Security Bank and Trust, Fredericksburg, Texas. Whole bank transaction. (PR-122-88). ✓

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93. THE LIBERTY BANK OF SEATTLE, Seattle, Washington. Total assets of $19.0 million. Closed June 17, 1988. Deposits of $19.0 million assumed by The Emerald City Bank, Seattle, Washington, a newly chartered state nonmember bank. FDIC outlay $6.8 million. Whole bank transaction. (PR-123-88). ✓

94. THE BANK OF WESTMINSTER, Westminster, Colorado. Total assets of $6.7 million. Closed June 23, 1988. Deposits of $6.0 million assumed by First National Bank Westminster, Westminster, Colorado. FDIC outlay, none. FDIC income $140,000. Whole bank transaction. (PR 124-88. ✓

95. TRI-CITIES BANK & TRUST, Glenn Heights, Texas. Total assets of $9.6 million. Closed June 23, 1988. Deposits of $9.2 million assumed by Abrams Centre National Bank, Dallas, Texas. FDIC outlay $3.938 million. Whole bank transaction. (PR 127-88). ✓

96. NORTHWEST BANK AND TRUST, Houston, Texas. Total assets of $100.9 million. Closed June 23, 1988. Deposits of $89.9 million assumed by Northwest Bank, Houston, Texas, a newly-chartered bank. FDIC outlay $37.45 million. Whole bank transaction. (PR 128-88). ✓

97. TEXAS NATIONAL BANK, Victoria, Texas. Total assets of $12.5 million. Closed June 23, 1988. Deposits of $12.7 million assumed by Texas National Bank of Victoria, Victoria, Texas, a newly-chartered subsidiary of Lone Star Bancshares, Inc., Victoria, Texas. FDIC outlay $3.116 million. Whole bank transaction. (PR 129-88) ✓

98. CLAIBORNE BANK & TRUST COMPANY, Homer, Louisiana. Total assets of $12.6 million. Closed June 29, 1988. Deposits of $12.4 million assumed by The Homer National Bank, Homer, Louisiana. FDIC outlay $1.126 million. Whole bank transaction. (PR 131-88). ✓

99. REPUBLIC NATIONAL BANK, Norman, Oklahoma. Total assets of $27.2 million. Closed June 30, 1988. Deposits of $27.0 million assumed by Republic Bank of Norman, Norman, Oklahoma, a newly-chartered bank. FDIC outlay $5.829 million. Whole bank transaction. (PR 132-88). ✓

100. FIRST NATIONAL BANK, Sherman, Texas. Total assets of $25.2 million. Closed on June 30, 1988. Deposits of $23.1 million assumed by The First National Bank of Van Alstyne, Van Alstyne, Texas. FDIC outlay $5.655 million. Whole bank transaction. (PR 133-88). ✓

101. MERCANTILE BANK & TRUST, San Antonio, Texas. Total assets $82.3 million. Closed June 30, 1988. Deposits of $82.9 million assumed by Groos Bank, National Association, San Antonio, Texas. FDIC outlay $13.131 million. Whole bank transaction. (PR 134-88). ✓

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102. TEXAS BANK AND TEXAS BANK NORTH, NATIONAL ASSOCIATION, SAN ANTONIO, TEXAS. Total assets $76.4 million. Section 13(c) assistance granted on July 14, 1988. Concurrent with the granting of the assistance the two banks were merged and will operate under the name Texas Bank, N.A. FDIC assistance consists of an infusion of $14.4 million to offset losses in the bank. FDIC outlay $8.7 million. (PR 137-88)

103. THE AMERICAN BANK, PALESTINE, TEXAS. Total assets $19.7 million.. Closed on July 14, 1988. Deposits of $19.2 million assumed by Royall National Bank, Palestine, Texas. FDIC outlay $5.2 million. (PR 138-88)

104. THE SECURITY BANK, WARNER, OKLAHOMA. Total assets $9.6 million. Closed on July 14, 1988. Deposits of $9.5 million assumed by Vian State Bank, Vian, Oklahoma. Whole bank transaction. FDIC outlay $345,000. (PR 139-88)

105. ALLEN NATIONAL BANK, ALLEN, TEXAS. Total assets $20.0 million. Closed on July 14, 1988. Deposits of $19.4 million assumed by Benchmark Bank, Quinlan, Texas. Whole bank transaction. FDIC outlay $6,890,000. (PR 140-88)

106. OAK FOREST NATIONAL BANK, LONGVIEW, TEXAS. Total assets $7.4 million. Section 13(c) assistance granted on July 15, 1988. FDIC assistance consists of infusion of $1.7 million to cover losses in the bank, making possible a merger into Longview Bank and Trust Company, Longview, Texas. FDIC outlay $1.7 million. (PR 141-88)

107. UNION BANK AND TRUST, BARTLESVILLE, OKLAHOMA. Total assets of $128.9 million. Closed on July 21, 1988. Deposits of $124.9 million assumed by First National Bank in Bartlesville, Bartlesville, Oklahoma. FDIC outlay $39,890,000. (PR 143-88)

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108. THE FIRST NATIONAL BANK OF BLOOMING PRAIRIE, BLOOMING PRAIRIE, MINNESOTA. Total assets of $19.4 million. Closed July 21, 1988. Deposits of 19.5 million assumed by First American Bank of Blooming Prairie, a newly-chartered subsidiary of First American Bancshares of Blooming Prairie, Blooming Prairie, Minnesota. Whole bank transaction. FDIC outlay $1,730,000. (PR 144-48)

109. FIRST CAPITOL BANK, WEST COLUMBIA, TEXAS. Total assets of $49.7 million. Closed on July 28, 1988. Insured deposits transferred to First Bank, Edna, Texas. Deposits of $44.5 million including $117,000 in 64 accounts that exceeded the insurance limit. FDIC outlay $10.1 million.(PR 145-88)

110. NATIONAL FIDELITY BANK OF SHREVEPORT, SHREVEPORT, LOUISIANA. Total assets of $10.6 million. Closed on July 28, 1988. Deposits of $10.5 million assumed by Hibernia National Bank, New Orleans, Louisiana. FDIC outlay $9.216 million. (PR 146-88)

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111. WESTLAKE THRIFT AND LOAN ASSOCIATION, WESTLAKE VILLAGE, CALIFORNIA. Total assets $41.4 million. Closed July 29, 1988. Insured deposits transferred to Independence Bank, Los Angeles, California. Deposits of $36.6 million, including $152,000 in 150 accounts that exceeded the insurance limit. FDIC outlay $36.430 million. (PR 149-88)

112-151 FIRST REPUBLICBANK CORPORATION, DALLAS, TEXAS. Total assets of $32.5 billion (in 40 banks including approximately $4 billion in the lead bank in Dallas.) Closed July 29, 1988. All banks acquired by NCNB Corporation, Charlotte, North Carolina. FDIC outlay approximately $4 billion, including the $1 billion loaned to First Republicbank on March 17, 1988. (PR 148-88)

Following are the banks represented in the sale of FirstRepublicBank, Dallas, Texas on July 29, 1988. They are shown as Numbers 112 through 151 on the list of closed banks.

NAME	CHARTER	CITY
112.FirstRepublicBank	national	Dallas, Texas
113."	"	Houston, Texas
114."	"	Austin, Texas
115."	"	Fort Worth, Texas
116."	"	San Antonio, Texas
117."	state	College Station, Texas
118."	national	Abilene, Texas
119."	"	Brownwood, Texas
120."	"	Cleburne, Texas
121."	state	Clifton, Texas
122."	national	Conroe, Texas
123."	"	Corsicana, Texas
124."	state	Newark, Delaware
125."	national	Denison, Texas
126."	"	El Paso, Texas
127."	"	Ellis, Texas
128."	state	Forney, Texas
129.National Bank of Fort Sam Houston	national	San Antonio, Texas
130.FirstRepublicBank	"	Galveston, Texas
131."	"	Greenville, Texas
132."	"	Harlingen, Texas
133."	"	Henderson, Texas
134."	state	Hillsboro, Texas
135."	"	Beaumont, Texas
136.	national	Lubbock, Texas
137."	state	Lufkin, Texas
138."	"	Malakoff, Texas
139."	national	Midland, Texas
140.	"	Mineral Wells, Texas
141."	"	Mount Pleasant, Texas
142."	"	Odessa, Texas
143."	state	Paris, Texas

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144."	national	Plano, Texas
145."	"	Richmond, Texas
146."	"	Stephenville, Texas
147."	"	Temple, Texas
148."	"	Tyler, Texas
149."	state	Victoria, Texas
150."	national	Waco, Texas
151."	"	Williamson, Texas
152."	"	Wichita Falls, Texas

FIRST REPUBLICBANK, NEWARK, DELAWARE. Total assets $590 million. Closed on August 2, 1988. All assets and liabilities transferred to a newly-chartered bridge bank to be known as Delaware Bridge Bank, National Association, Newark, Delaware. (PR 150-88) SHOWN AS NO. 124 ON THE LIST ABOVE.

153. ALASKA CONTINENTAL BANK, ANCHORAGE, ALASKA. Total assets of $55.8 million. Closed on August 3, 1988. Deposits of $53.3 million assumed by First Interstate Bank of Alaska, a newly-chartered subsidiary of First InterstateBancorp, Los Angeles, California. FDIC outlay $41.5 million. (PR 151-88)

154. FARMERS & MERCHANTS BANK OF ELMO, ELMO, MISSOURI. Total assets of $9.4 million. Closed on August 4, 1988. Deposits of $9.0 million assumed by First Bank of Maryville, Maryville, Missouri. FDIC outlay $2.210 million. This was a whole bank transaction. (PR 152-88)

155. SECURITY STATE BANK, CASEY, IOWA. Total assets of $16.8 million. Assistance under Section 13(c) granted on August 10, 1988. FDIC financial assistance, consisting of a cash infusion of $900,000, made possible the acquisition of the bank By Central West Bancorporation, Casey, Iowa, a newly-formed one bank holding company. (PR 153-88)

156. GALENA PARK STATE BANK, GALENA, TEXAS. Total assets of $26.4 million. Closed August 11, 1988. Deposits of $28.3 million assumed by Lockwood National Bank of Houston, Houston, Texas. FDIC outlay $8.492 million. (PR 154-88).

157. FIRST BANK, BALCH SPRINGS, TEXAS. Total assets of $47.0 million. Closed on August 11, 1988. Deposits of $46.6 million assumed by Gateway National Bank, Dallas, Texas. FDIC outlay $3.908 million. This was a whole bank transaction. (PR 155-88).

158. WEST HOUSTON NATIONAL BANK, HOUSTON, TEXAS. Total assets of $24.8 million. Deposits of $23.9 million assumed by Texas Commerce Bank, National Association, Houston, Texas. FDIC outlay $18.536 million. (PR 156-88).

159. CITIZENS STATE BANK, MAUD, OKLAHOMA. Total assets of $10.6 million. Closed on August 18, 1988. Deposits of $10.3 million assumed by The Bank, National Association, McAlester, Oklahoma. FDIC outlay $8.2 million. (PR 157-88)

160. TOWN AND COUNTRY NATIONAL BANK, HARLINGEN, TEXAS. Total assets of $31.6 million. Closed on August 18, 1988. Deposits of $28.0 million assumed by Harlingen National Bank, Harlingen, Texas. FDIC outlay $11.0 million. This was a whole bank transaction. (PR 158-88)

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS 2202A SYSC
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED

161. FIRST NATIONAL BANK AUSTIN, AUSTIN, TEXAS. Total assets of $26.6 million. Closed on August 18, 1988. Deposits of $26.4 million assumed by First State Bank, Austin, Texas. FDIC outlay $11.2 million. This was a whole bank transaction. (PR 159-88) ✓

162. MARSHALL COUNTY BANK, BRITTON, SOUTH DAKOTA. Total assets of $10.5 million. Closed on August 19, 1988. Insured deposits transferred to First National Bank, Beresford, South Dakota. Deposits of $9.6 million including approximately $43,000 in four accounts that exceeded the insurance limit. (PR 160-88).

163. BANK OF THE MID-SOUTH, BOSSIER CITY, LOUISIANA. Total assets of $31.5 million. Closed on August 25, 1988. Deposits of $32.4 million assumed by Red River Valley Bank, Bossier City, Louisiana. FDIC outlay $5.192 million. This was a whole bank transaction. (PR 161-88). ✓

164. BANCFIRST-WESTLAKE, N.A., AUSTIN, TEXAS. Total assets of $16.1 million. Closed on August 25, 1988. Deposits of $17.0 million assumed by Union National Bank of Texas, Austin, Texas, a newly-chartered subsidiary of The Union of Arkansas Corporation, Little Rock, Arkansas. FDIC outlay $5.612 million. This was a whole bank transaction. (PR 162-88). ✓

165. HIGHLAND PARK NATIONAL BANK, DALLAS, TEXAS. Total assets of $28.5 million. Closed on August 25, 1988. Deposits of $30.8 million assumed by Deposit Guaranty Bank, Dallas, Texas. FDIC outlay $17.038 million. This was a whole bank transaction. (PR 163-88). ✓

166. BIWABIK STATE BANK, BIWABIK, MINNESOTA. Total assets of $3.3 million. Closed on August 26, 1988. Deposits of $3.3 million assumed by The First National Bank, Keewatin, Minnesota. FDIC outlay $367,000. This was a whole bank transaction. (PR 165-88). ✓

167. AMERICAN BANK OF MUSKOGEE, MUSKOGEE, OKLAHOMA. Total assets of $32.2 million. Closed on September 1, 1988. Deposits of $30.1 million assumed by Citizens National Bank & Trust of Muskogee, Muskogee, Oklahoma. FDIC outlay $10.246 million. This was a whole bank transaction. (PR 166-88). ✓

168. COMMERCIAL STATE BANK, SAN AUGUSTINE, TEXAS. Total assets of $25.9 million. Closed September 1, 1988. Insured deposits transferred to The Hamilton National Bank, Hamilton, Texas. Deposits of $24.9 million including about $25,000 in 11 accounts that exceeded the insurance limit. FDIC outlay $8.583 million. (PR 167-88).

169. MINGO TRUST & SAVINGS BANK, MINGO, IOWA. Total assets of $11.9 million. Closed September 1, 1988. Deposits of $11.5 million assumed by Exchange State Bank, Collins, Iowa. FDIC outlay $675,000. This was a whole bank transaction. (PR 168-88). ✓

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS 2202A SYSC
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED

170. PISGAH SAVINGS BANK, PISGAH, IOWA. Total assets of $10.1 million. Closed on September 1, 1988. Insured deposits transferred to Iowa Savings Bank, Woodbine, Iowa. Deposits of about $9.7 million, including $17,000 in 16 accounts that exceeded the insurance limit. FDIC outlay $7.566 million. (PR 169-88).

171. LAKELAND STATE BANK, CAMDEN COUNTY,(SUNRISE BEACH), MISSOURI. Total assets of $9.1 million. Closed on September 1, 1988. Deposits of $8.9 million assumed by Community Bank of the Ozarks, a newly-chartered subsidiary of Community Bancshares of the Ozarks, Inc., Sunrise Beach, Missouri. This was a whole bank transaction. FDIC outlay $322,000. (PR 170-88).

172. PIONEER NATIONAL BANK, ARLINGTON, TEXAS. Total assets of $22.0 million. Closed on September 1, 1988. Deposits of $22.0 million assumed by Deposit Guaranty Bank, Dallas, Texas. FDIC outlay $6.034 million. This was a whole bank transaction. (PR 171-88).

173. FIRST NATIONAL BANK OF ATASCOCITA, HARRIS COUNTY, HUMBLE, TEXAS. Total assets of $8.8 million. Closed on September 1, 1988. Deposits of $9.6 million assumed by First Interstate Bank of Texas, N.A., Houston, Texas. FDIC outlay $5.867 million. (PR 172-88).

174. THE SYLVIA STATE BANK, SYLVIA, KANSAS. Total assets of $5.4 million. Closed on September 8, 1988. Deposits of $4.8 million assumed by The Turon Bank, Turon, Kansas. FDIC outlay $914,000. This was a whole bank transaction. (PR 173-88).

175. CITIZENS BANK OF LITTLETON, LITTLETON, COLORADO. Total assets of $6.5 million. Closed on September 15, 1988. Deposits of $5.9 million assumed by Equitable Bank of Littleton, N.A., Littleton, Colorado. FDIC outlay $2.139 million. (PR 176-88).

176. TRINITY NATIONAL BANK, SAN ANTONIO, TEXAS. Total assets of $33.7 million. Closed on September 15, 1988. Deposits of $33.8 million assumed by First National Bank of Rio Grande City, Texas. FDIC outlay $10.9 million. (PR 177-88).

177. RIVER CITY BANK, CASTLE HILLS, TEXAS. Total assets of $13.9 million. Closed on September 15, 1988. Deposits of $16.5 million assumed by Citizens State Bank of Luling, Luling, Texas. FDIC outlay $6.883 million. This was a whole bank transaction. (PR 178-88).

178. TOWN AND COUNTRY BANK, BIXBY, OKLAHOMA. Total assets of $38.9 million. Closed on September 15, 1988. Deposits of $38.5 million assumed by Brookside State Bank, Tulsa, Oklahoma. FDIC outlay $17.176 million. (PR 179-88).

179. CAPITAL NATIONAL BANK, FORT WORTH, TEXAS. Total assets of $24.6 million. Closed on September 15, 1988. Insured deposits transferred to Central Bank and Trust, Fort Worth, Texas. Deposits of $23.8 million including about $561,000 in 33 accounts that exceeded the insurance limit. FDIC outlay $18.6 million. (PR 180-88).

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS 2202A SYSC
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED

180. GUARANTY NATIONAL BANK, AUSTIN, TEXAS. Total assets of $23 million. FDIC assistance under Section 13(c) granted on September 16, 1988. FDIC assistance consists of $4.3 million to offset losses in the bank. An additional $2.4 million capital injection will be provided by an investor group headed by David A. Harman, an El Paso, Texas, businessman. FDIC outlay $2.989 million. (PR 181-88).

181. THE FIRST STATE BANK IN TALIHINA, TALIHINA, OKLAHOMA. Total assets of $16.2 million. Closed on September 22, 1988. Deposits of $15.0 million assumed by Spiro State Bank, Spiro, Oklahoma. FDIC outlay $2.0 million. (PR 1182-88).

182. THE SECURITY STATE BANK, COMANCHE, OKLAHOMA. Total assets of $8.9 million. Closed on September 22, 1988. Deposits of $8.7 million assumed by American National Bank, Ardmore, Oklahoma. FDIC outlay $1.4 million. (PR 183-88).

183. COMMUNITY BANK AND TRUST, ROCKDALE, TEXAS. Total assets of $14.9 million. Closed on September 22, 1988. Deposits of $14.3 million assumed by The Citizens National Bank of Cameron, Cameron, Texas. This was a whole bank transaction. FDIC outlay $3.342 million. (PR 184-88). ✓

184. PEOPLES STATE BANK OF MEEKER, MEEKER, COLORADO. Total assets of $3.7 million. Closed on September 23, 1988. Insured deposits transferred to The First National Bank of Meeker, Meeker, Oklahoma. Deposits of $3.6 million, including $5,000 in one account that exceeded the insurance limit. FDIC outlay $3.148 million. (PR 185-88).

185. FIRST STATE BANK, SEMINOLE, OKLAHOMA. Total assets of $11.7 million. Closed on September 29, 1988. Deposits of $10.7 million assumed by First State Bank, Harrah, Oklahoma. FDIC outlay $1.339 million. This was a whole bank transaction. (PR 187-88). ✓

186. WATSON STATE BANK, WATSON, MINNESOTA. Total assets of $13.4 million. Closed on September 30, 1988. Deposits of $11.8 million assumed by Minnwest Bank Montevideo, Montevideo, Minnesota. FDIC outlay $5.092 million. (PR 188-88).

187. LIBERTY BANK AND TRUST COMPANY, WARSAW, INDIANA. Total assets of $49.6 million. Closed on October 3, 1988. Deposits of $46.5 million assumed by Trustcorp Bank, Goshen, Goshen, Indiana. FDIC outlay $31.7 million. (PR-189-88).

188. FIDELITY NATIONAL BANK OF FORT WORTH, FORT WORTH, TEXAS. Total assets of $33.0 million. Closed on October 6, 1988. Deposits of $31.2 million assumed by Fidelity Bank, Fort Worth, Texas, a newly chartered subsidiary of Fidelity Bancshares, Inc., Fort Worth, Texas. This was a whole bank transaction. FDIC outlay $10.410 million. (PR-190-88). ✓

189. COMMERCIAL BANK AND TRUST CO., METAIRIE, LOUISIANA. Total assets of $55.9 million. Closed on October 20, 1988. Deposits of $54.2 million assumed by Pontchartrain State Bank, Metairie, Louisiana. FDIC outlay $6.09 million. This was a whole bank transaction. (PR 192-88). ✓

190. SECURITY BANK, DALLAS, TEXAS. Total assets of $20.6 million. Closed on October 20, 1988. Deposits of $18.6 million assumed by Deposit Guaranty Bank, Dallas, Texas. FDIC outlay, $19,623,000. (PR 193-88).

191. MEDICAL CENTER STATE BANK, OKLAHOMA CITY, OKLAHOMA Total assets $8.6 million. Closed on October 27, 1988. Deposits of $8.4 million assumed by American State Bank, Tulsa, Oklahoma. FDIC outlay $1.921 million. (PR 197-88)

192. FRONTIER NATIONAL BANK, ROUND ROCK, TEXAS. Total assets of $38.1 million. Closed on October 27, 1988. Deposits of $38.2 million assumed by First State Bank, Austin, Texas. FDIC outlay $10.8 million. This was a whole bank transaction. (PR 195-88). ✓

193. ROUND ROCK NATIONAL BANK, ROUND ROCK, TEXAS. Total assets of $34.1 million. Closed on October 27, 1988. Insured deposits transferred to First State Bank, Austin, Texas. Deposits of $35.9 million, including about $750,000 in 50 accounts that exceeded the insurance limit. FDIC outlay $32.8 million. (PR 196-88).

194. SOUTHWEST NATIONAL BANK, HOUSTON, TEXAS. Total assets of $16.9 million. Closed on November 3, 1988. Insured deposits transferred to Spring National Bank, Spring, Texas. Deposits of $16.5 million, including about $400,000 in 21 accounts that exceeded the insurance limit. FDIC outlay $12.897 million. (PR 200-88).

195. MT. ZION STATE BANK, MOUNT ZION, ILLINOIS. Total assets of $27.4 million. Closed on November 4, 1988. Insured deposits transferred to Mount Zion State Bank and Trust Company, Mount Zion, Illinois, a newly-chartered subsidiary of Meredosia Bancorporation, Inc., Springfield, Illinois. Deposits of $25.8 million including about $3,000 in 7 accounts that exceeded the insurance limit. FDIC outlay $1.140 million. (PR 201-88).

196. AVOYELLES TRUST & SAVINGS BANK, BUNKIE, LOUISIANA. Total assets $27.1 million. Closed November 10, 1988. Deposits of $30.5 million assumed by Bunkie Bank & Trust Company, Bunkie, Louisiana. FDIC outlay $9.706 million. This was a whole bank transaction. (PR 203-88). ✓

197. AMERICAN NATIONAL BANK, TYLER, TEXAS. Total assets of $23.3 million. Closed November 10, 1988. Deposits of $23.0 million assumed by The First National Bank of Winnsboro, Winnsboro, Texas. FDIC outlay $7.145 million. (PR204-88).

198. BANK OF THE NORTHWEST, WOODWARD, OKLAHOMA. Total assets of $21.9 million. Closed November 10, 1988. Insured deposits transferred to The Bank of Woodward, Woodward, Oklahoma. Deposits of $20.1 million, including about $95,000 in 41 accounts that exceeded the insurance limit. (PR 206-88).

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199. THE FIRST NATIONAL BANK OF GRACEMONT, GRACEMONT, OKLAHOMA. Total assets of $7.0 million. Closed November 10, 1988. Insured deposits transferred to First State Bank, Andarko, Oklahoma. Deposits of $6.9 million, including about $50,000 in 8 accounts that exceeded the insurance limit. FDIC outlay $4.207 million. (PR 207-88)

200. MIAMI NATIONAL BANK, MIAMI, OKLAHOMA. Total assets of $10 million. Closed November 10, 1988. Deposits of $9.7 million assumed by Bank of Miami, Miami, Oklahoma, a newly-chartered subsidiary of Southwest Missouri Bancorporation, Inc., Carthage, Missouri. FDIC outlay $1.920 million. (PR 208-88).

201. ALLIANCE BANK, NATIONAL ASSOCIATION, OKLAHOMA CITY, OKLAHOMA. Total assets $9.6 million. Assistance granted under section 13(c) on November 16, 1988. Concurrent with the granting of assistance, Alliance Bank, National Association, was merged with a newly-chartered national bank to be operated under the name First National Bank, and became a subsidiary of First Bancorporation of Holdenville, Inc., Holdenville, Oklahoma. FDIC assitance consists of a $4.3 million injection to offset losses in the bank. An additional $1 million will be provided by First Bancorportion of Holdenville, Inc. FDIC outlay $4.3 million. (PR 211-88).

202. EAST TEXAS STATE BANK, BUNA, TEXAS. Total assets of $21.8 million. Closed November 17, 1988. Deposits of $20.7 million assumed by First National Bank of Bonham, Bonham, Texas. FDIC outlay $7.0 million. (PR 212-88).

203. THE BANK OF KERRVILLE, KERVILLE, TEXAS. Total assets of $32.5 million. Closed November 17, 1988. Deposits of $32.5 million assumed by Bank of Kerrville, Kerrville, Texas. This was a whole bank transaction. FDIC outlay $9.521 million. (PR 213-88). ✓

204. FIRST NATIONAL BANK, COVINGTON, LOUISIANA. Total assets of $271.6 million. Closed November 18, 1988. Insured deposits transferred to Hibernia National Bank, New Orleans, Louisiana. Deposits of $248.3 million, including $839,000 in 125 accounts that exceeded the insurance limit. FDIC outlay $123.8 million. (PR 215-88).

205. TEXANA NATIONAL BANK OF BELTON, BELTON, TEXAS. Total assets $17.2 million. Closed December 1, 1988. Insured deposits transferred to First National Bank of Temple, Temple, Texas. Deposits of $18.5 million, including $26,000 in three accounts that exceeded the insurance limit. FDIC outlay $15.720 million. (PR 219-88).

206. OAKLAWN BANK, NATIONAL ASSOCIATION, DALLAS, TEXAS. Total assets of $10.7 million. Closed December 1, 1988. Deposits of $10.7 million assumed by Cornerstone Bank, N.A., Dallas, Texas. FDIC outlay $4.3 million. (PR 220-88).

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS. 2202A SYSC
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED.

207. UNION BANK OF HOUSTON, HOUSTON, TEXAS. Total assets $59.6 million. Closed December 1. 1988. Deposits of $49.5 million assumed by Texas Commerce Bank, N.A., Houston, Texas. FDIC outlay $39.061 million. (PR 221-88).

208. ENTERPRISE NATIONAL BANK, ENGLEWOOD, COLORADO. Total assets $5.2 million. Closed December 1, 1988. Deposits of $4.5 million assumed by Colonial National Bank, Denver, Colorado. FDIC outlay $4.231 million. (PR 222-88).

209. WAUKOMIS STATE BANK, WAUKOMIS, OKLAHOMA. Total assets $12.3 million. Closed December 8, 1988. Deposits of $12.0 million assumed by Cimarron Bank, Waukomis, Oklahoma, a newly-chartered subsidiary of Bancshares of Woodward, Inc., Woodward, Oklahoma. FDIC outlay $1.532 million. This was a whole bank transaction. (PR 224-88). ✓

210. FIRST BANK & TRUST CO., DUNCAN, OKLAHOMA. Total assets of $46.1 million. Closed December 8, 1988. Deposits of $45.2 million assumed by First Bank & Trust Company, Duncan, Oklahoma, a newly-chartered state nonmember bank. FDIC outlay $1.912 million. This was a whole bank transaction. (PR 225-88). ✓

211. RESOURCE BANK, NATIONAL ASSOCIATION, HOUSTON, TEXAS. Total assets of $43.9 million. Closed December 8, 1988. PAYOFF. Deposits of $44.2 million, including about $315,000 in 38 accounts that exceeded the insurance limit. FDIC outlay $43.640 million. (PR 226-88).

212. CARIBANK, DANIA, FLORIDA. Total assets of $535.8 million. Closed December 9, 1988. Deposits of $499.4 million assumed by Citibank (Florida), National Association, a newly-chartered national bank subsidiary of Citicorp Holdings, Inc., New York, New York. FDIC outlay $40.082 million. This was a whole bank transaction. (PR 227-88). ✓

213. CRESCENT CITY BANK AND TRUST COMPANY, NEW ORLEANS, LOUISIANA. Total assets $21.9 million. Closed December 15, 1988. Deposits of $23.1 million assumed by Omni Bank, New Orleans, Louisiana, a newly-chartered state nonmember bank. FDIC outlay $6.212 million. (PR 230-88).

214. FIRST NATIONAL BANK IN CENTER, CENTER, TEXAS. Total assets of $26.5. Closed on December 15, 1988. Deposits of $25.8 million assumed by Citizens Bank, Kilgore, Texas. FDIC outlay $7.497 million. (PR 231-88).

215. FIRST NATIONAL BANK IN BOGATA, BOGATA, TEXAS. Total assets of $13.6 million. Closed on December 15, 1988. Deposits of $13.1 million assumed by Peoples National Bank, Bogata, Texas, a newly-chartered national bank subsidiary of Texas Peoples National Bancshares, Inc., Paris Texas. This was a whole bank transaction. FDIC outlay $1.113 million. (PR 232-88). ✓

216. TEXAS BANK OF PLANO, PLANO, TEXAS. Total assets of $13.7 million. Closed on December 15, 1988. Deposits of $14.0 million assumed by Plano East National Bank, Plano, Texas. FDIC outlay $5.290 million. This was a whole bank transaction. (PR 233-88). ✓

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED. 2202A SYSC

217. TEXAS NATIONAL BANK, DALLAS, TEXAS. Total assets of $46.0 million. Closed on December 15, 1988. Deposits of $48.2 million assumed by Cornerstone Bank, N.A., Dallas, Texas. FDIC outlay $18.861 million. This was a whole bank transaction. (PR 234-88). ✓

218. FIRST SOUTHWEST BANK, ELDORADO, OKLAHOMA. Total assets of $10.1 million. Closed December 16, 1988. Deposits of $9.8 million assumed by First State Bank and Trust Company, Hollis, Oklahoma. FDIC outlay $1.591 million. This was a whole bank transaction. (PR 235-88). ✓

219. FIRST INDUSTRIAL BANK OF ROCKY FORD, ROCKY FORD, COLORADO. Total assets of $12.5 million. Closed December 16, 1988. Deposits of $11.6 million assumed by The First National Bank of Ordway, Ordway, Colorado. FDIC outlay $8.635 million. (PR 236-88)

220. BATON ROUGE BANK & TRUST COMPANY, BATON ROUGE, LOUISIANA. Total assets of $114.9 million. Assistance granted under Section (13c) on December 21, 1988. FDIC financial assistance consists of $18 million to offset loans. An additional $8 million capital will be provided by Anglo-American Bancshares Corporation. Concurrent with the granting of assistance, Baton Rouge Bank & Trust Company was merged into a newly-chartered state bank to be operated under the same name. The new bank will become a subsidiary of Anglo-American Bancshares Corporation, Baton Rouge, Louisiana. FDIC outlay $18 million. (PR 237-88).

221. TRACY COLLINS BANK AND TRUST COMPANY, SALT LAKE CITY, UTAH. Total assets $206 million. Approval granted on December 9, 1988, for assistance under Section 13(c) to facilitate acquisition of Tracy Collins Bank and Trust Company, Salt Lake City, Utah, by The Continental Bank and Trust Company, Salt Lake City, Utah. Final approval of transaction was on December 30, 1988. FDIC outlay $21.0 million. FDIC will retain approximately $31 million in assets from Tracy Collins Bank and Trust Company and receive all collections from those assets. (PR 229-88).

AMEN FOR 1988!

CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED, WHOLE BANK TRANSACTIONS CHECKED

1. BANK OF BENTON, BENTON, LOUISIANA. Total assets $10.4 million. Closed on January 5, 1989. Deposits of $10.9 million assumed by Red River Valley Bank, Bossier City, Louisiana. FDIC outlay $4.5 million. (PR 2-89)

2. FIRST STATE BANK, HARPER, TEXAS. Total assets $9.7 million. Closed on January 12, 1989. Deposits of $10.1 million assumed by Security State Bank, Harper, Texas. FDIC outlay $2.720 million. This was a whole bank transaction. (PR 4-89).

3. ORLEANS BANK AND TRUST COMPANY, NEW ORLEANS, LOUISIANA. Total assets $22.0 million. Closed on January 12, 1989. Deposits of $22.8 million assumed by Mississippi River Bank, Belle Chasse, Louisiana. FDIC outlay $18.9 million. (PR 5-89).

4. ROLLING HILLS STATE BANK, PIEDMONT, OKLAHOMA. Total assets $13.2 million. Closed on January 12, 1989. Deposits of $12.9 million assumed by Farmers & Merchants Bank of Piedmont, Piedmont, Oklahoma. FDIC outlay $1.772 million. This was a whole bank transaction. (PR 6-89).

5. COMMERCIAL STATE BANK, HOUSTON, TEXAS. Total assets $53.4 million. Closed on January 12, 1989. Deposits of $49.2 million assumed by Channelview Bank, Channelview, Texas. FDIC outlay $8.392 million. (PR 7-89).

6. OAK HILL NATIONAL BANK, TRAVIS COUNTY, TEXAS. Total assets $17.9 million. Closed on January 12, 1989. Deposits of $17.4 million assumed by Community National Bank, Austin, Texas. FDIC outlay $6.312 million. (PR 8-89).

7. THE NATIONAL BANK OF BOSSIER CITY, BOSSIER CITY, LOUISIANA. Total assets $77.9 million. Closed on January 12, 1989. Deposits of $79.6 million assumed by Hibernia National Bank, New Orleans, Louisiana. FDIC outlay $26.7 million. (PR 9-89).

8. WEST BELT NATIONAL BANK, HOUSTON, TEXAS. Total assets $31.4 million. Closed on January 12, 1989. Deposits of $30.7 million assumed by Deposit Guaranty Bank, Dallas, Texas. FDIC outlay $10.73 million. (PR 10-89).

9. FIRST NATIONAL BANK OF CEDAR PARK, CEDAR PARK, TEXAS. Total assets of $18.6 million. Closed on January 19, 1989. Deposits of $18.5 million assumed by Union National Bank of Texas, Austin, Texas. FDIC outlay $8.361 million. (PR 11-89).

10. THE PLANTERS BANK & TRUST COMPANY, HAYNESVILLE, LOUISIANA. Total assets of $57.7 million. Closed January 19, 1989. Deposits of $57.3 million assumed by Planters Bank and Trust Company of Claiborne Parish, Haynesville, Louisiana, a newly-chartered subsidiary of Peoples Holding Corporation, Minden, Louisiana. FDIC outlay $10.680 million. (PR 12-89).

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED, WHOLE BANK TRANSACTIONS CHECKED

11. MERCHANTS STATE BANK, DALLAS, TEXAS. Total assets of $125.2 million. Closed on January 19, 1989. Deposits of $124.7 million assumed by Grand Bank, Dallas, Texas. This was a whole bank transaction. FDIC outlay $19.692 million. (PR 13-89).

12. FIRST STATE BANK OF TEXAS, DUNCANVILLE, TEXAS. Total assets of $19.6 million. Closed January 26, 1989. Deposits of $18.9 million assumed by Fidelity National Bank of Dallas, Dallas, Texas. This was a whole bank transaction. FDIC outlay $4.493 million. (PR 14-89).

13. OAKWOOD NATIONAL BANK, ENID, OKLAHOMA. Total assets of $30.8 million. Closed January 26, 1989. Deposits of $31.0 million assumed by The National Bank of Commerce of Altus, Altus, Oklahoma. This was a whole bank transaction. FDIC outlay $6.441 million. (PR 15-89)

14. COMMUNITY BANK, NATIONAL ASSOCIATION, DECKER PRAIRIE, TEXAS. Total assets of $8.5 million. Closed January 26, 1989. Insured deposits transferred to Tomball National Bank, Tomball, Texas. Deposits of $7.7 million, all believed to be within the insurance limit. FDIC outlay $7.839 million. (PR 16-89).

15. CITIZENS STATE BANK, EARTH, TEXAS. Total assets of $15.7 million. Closed January 26, 1989. Deposits of $14.9 million assumed by The First State Bank of Dimmitt, Dimmitt, Texas. This was a whole bank transaction. FDIC outlay $3.983 million. (PR 17-89).

16. METROPOLITAN NATIONAL BANK, SAN ANTONIO, TEXAS. Total assets of $4.4 million. Assistance granted under Section 13(c) on January 31, 1989. FDIC assistance consists of $2.350,000 to offset losses in the bank. Concurrent with the granting of assistance, Metropolitan National Bank was merged with Texas Bank, National Association, San Antonio, Texas. FDIC outlay $2.074 million. (PR 18-89).

17. ALASKA STATEBANK, ANCHORAGE, ALASKA. Total assets of $102.2 million. Closed on February 3, 1989. Deposits of $99.9 million assumed by Key Bank of Alaska, Anchorage, Alaska. FDIC outlay $30.2 million. (PR 19-89).

18. FIRST BANK & TRUST, BRYAN, TEXAS. Total assets of $150.5 million. Closed February 9, 1989. Deposits of $147.4 million assumed by First American Bank, Bryan, Texas, a newly-chartered subsidiary of Adam Bank Group, Inc., Bryan, Texas. This was a whole bank transaction. FDIC outlay $24.061 million. (PR 24-89).

19. CITIZENS BANK, HOUSTON, TEXAS. Total assets of $112.4 million. Closed February 9, 1989. Deposits of $103.7 million assumed by Deposit Guaranty Bank, Dallas, Texas. This was a whole bank transaction. FDIC outlay $23.3 million. (PR 25-89). NOTE: Common ownership with #20.

CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED. WHOLE BANK TRANSACTIONS CHECKED.

20. CITIZENS BANK-HOUSTON, HOUSTON, TEXAS. Total assets of $47.3 million. Closed February 9, 1989. Deposits of $42.5 million assumed by Deposit Guaranty Bank, Dallas, Texas. This was a whole bank transaction. FDIC outlay $14.4 million. (PR 26-89). NOTE: Common ownership with #19. ✓

21. FIRST CONTINENTAL NATIONAL BANK, HOUSTON, TEXAS. Total assets of $9.2 million. Closed February 15, 1989. Payoff. Deposits of $8.9 million including $97,000 in 9 accounts that exceeded the insurance limit. FDIC outlay $9.048 million. (PR 30-89).

22. THE HOME STATE BANK, ARCADIA, KANAS. Total assets of $1.6 million. Closed on February 16, 1989. Payoff. Deposits of $1.6 million, all believed to be within the federal insurance limit. FDIC outlay $1.570 million. (PR 31-89).

23 LOUISIANA STATE BANK & TRUST COMPANY, SHREVEPORT, LOUISIANA. Total assets of $271.9 million. Closed on February 16, 1989. Deposits of $265.6 million assumed by Hibernia National Bank, New Orleans, Louisiana. FDIC outlay $99.562 million. (PR 32-89).

24. SECURITY BANK, HOUSTON, TEXAS. Total assets of $22.1 million. Closed on February 16, 1989. Deposits of $21.5 million assumed by Texas Commerce Bank, National Association, Houston, Texas. FDIC outlay $14.393 million. (PR 33-89).

25. WESTPOINT NATIONAL BANK, SAN ANTONIO, TEXAS. Total assets of $11.3 million. Closed on February 16, 1989. Deposits of $11.6 million assumed by The Frost National Bank of San Antonio, San Antonio, Texas. FDIC outlay $4.851 million. (PR 34-89).

26. TEXAS NATIONAL BANK, HOUSTON, TEXAS. Total assets of $43.3 million. Closed on February 16, 1989. Insured deposits transferred to First Galleria Bank, Houston, Texas, a newly-chartered subsidiary of the Conrad Company, Minneapolis, Minnesota. Deposits of $57.5 million, including $96,000 in 21 accounts that exceeded the federal insurance limit. FDIC outlay $41.567 million. (PR 35-89).

27. THE FIRST STATE BANK, ABILENE, TEXAS. Total assets of $265.4 million. Closed on February 17, 1989. Insured deposits transferred to NCNB Texas National Bank, Dallas, Texas. Deposits of $175.2 million, including $2.3 million in 122 accounts that exceeded the federal insurance limit. (PR 38-89).

28. CITIZENS BANK AND TRUST, CALVERT, TEXAS. Total assets of $17.3 million. Closed on March 9, 1989. Deposits of $16.9 million assumed by First State Bank, Bremond, Texas. FDIC outlay $12.858 million. (PR 46-89).

29. BANK OF THE WEST, AUSTIN, TEXAS. Total assets of $48.1 million. Closed on March 9, 1989. Deposits of $46.8 million assumed by The Bank of the West, a newly-chartered state nonmember bank. This was a whole bank transaction. FDIC outlay $16.954 million. (PR 47-89). ✓

CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED, WHOLE BANK TRANSACTIONS CHECKED

30. LAKEWAY NATIONAL BANK, AUSTIN, TEXAS. Total assets of $17 million. Closed on March 9, 1989. Deposits of $17 million assumed by First Commercial Bank, National Association, Seguin, Texas. FDIC outlay $3.567 million. (PR 48-89.

31. BANKERS TRUST OF LOUISIANA, N.A., KENNER, LOUISIANA. Total assets of $79.6 million. Closed on March 10, 1989. Insured deposits transferred to Investors Bank & Trust Company, Gretna, Louisiana. Deposits of $83.4 million, including about $1.5 million in 120 accounts that exceeded the insurance limit. FDIC outlay $61.69 million. (PR 49-89).

32. THE FARMERS STATE BANK, BOGUE, KANSAS, BOGUE, KANSAS. Total assets of $8.6 million. Closed on March 16, 1989. Deposits of $8.4 million assumed by Farmers & Merchants Bank of Hill City, Hill City, Kansas. FDIC outlay $2.67 million. (PR 55-89)

33. LIVINGSTON BANK, DENHAM SPRINGS, LOUISIANA. Total assets of $101.8 million. Closed on March 16, 1989. Deposits of $102.6 million assumed by Hibernia National Bank, New Orleans, Louisiana. FDIC outlay $48.875 million. (PR 56-89)

34. MERCHANTS MARINE BANK, PORT ISABEL, TEXAS. Total assets of $28.7 million. Closed March 16, 1989. Deposits of $27.9 million assumed by Firstbank, Los Fresnos, Texas. FDIC outlay $8.194 million. (PR 57-89). NOTE: Affiliated with #35 by common ownership.

35. ISLAND BANK, SOUTH PADRE ISLAND, TEXAS. Total assets of $18.2 million. Closed on March 16, 1989. Deposits of $17.5 million assumed by Firstbank, Los Fresnos, Texas. FDIC outlay $5.354 million. (PR 58-89). NOTE: Affiliated with #34 by common ownership.

36. THE FARMERS & MERCHANTS STATE BANK, BALLINGER, TEXAS. Total assets of $22.8 million. Closed March 16, 1989. Deposits of $22.1 million assumed by The First National Bank of Rotan, Rotan, Texas. This was a whole bank transaction. FDIC outlay $1.625 million. (PR 59-89)

37. ENTERPRISE BANK OF FLORIDA, MIAMI LAKES, FLORIDA. Total assets of $28 million. Closed on March 17, 1989. Deposits of $25.7 million assumed by Eastern National Bank, Hialeah, Florida. FDIC outlay $9.125 million. (PR 60-89)

38. INDUSTRIAL BANK, HOUSTON, TEXAS. Total assets of $68.7 million. Closed on March 23, 1989. Deposits of $66.2 million assumed by MetroBank, National Association, Houston, Texas. This was a whole bank transaction. FDIC outlay $4.560 million. (PR 65-89).

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED. WHOLE BANK TRANSACTIONS CHECKED

39. FIRST STATE BANK, ROGERS, TEXAS. Total assets of $9.8 million. Closed on March 23, 1989. Deposits of $9.2 million assumed by The Buckholts State Bank, Buckholts, Texas. FDIC outlay $6.370 million. (PR 66-89)

40. FIRST BANK OF ROWLETT, ROWLETT, TEXAS. Total assets of $36.3 million. Closed on March 23, 1989. Deposits of $34.6 million assumed by Deposit Guaranty Bank, Dallas, Texas. FDIC outlay $7.450 million. (PR 67-89)

The deposits and assets of the following 20 insolvent subsidiaries of MCorp of Dallas, Texas, were transferred to The Deposit Insurance Bridge Bank, National Association, Dallas, Texas, on March 28, 1989, and March 29, 1989. This newly chartered institution is wholly-owned by the FDIC.

CLOSED MARCH 28, 1989

Bank* Location	IN MILLIONS Assets	Deposits
41. MBank Round Rock National Association, Round Rock	164.598	162.588
42. MBank Dallas, National Association, Dallas	6,556.056	3,884.108
43. MBank Houston, National Association, Houston	3,307.498	2,566.889
44. MBank Abilene, National Association, Abilene	199.025	213.188
45. MBank Fort Worth, National Association, Fort Worth	749.114	624.217
46. MBank Austin, National Association, Austin	642.018	560.075
47. MBank Odessa, National Association, Odessa	317.623	298.538
48. MBank Brenham, National Association, Brenham	140.264	132.362
CLOSED ON MARCH 29, 1989		
49. MBank Greenville, National Association, Greenville	153.330	152.701
50. MBank Corsicana, National Association, Corsicana	165.084	160.801
51. MBank Marshall, National Association, Marshall	210.336	196.957
52. MBank The Woodlands, National Association, Woodlands	160.119	156.632
53. MBank Jefferson County, National Association, Port Arthur	330.935	307.311
54. MBank Orange, National Association, Orange	149.828	144.488
55. MBank Midcities, National Association, Arlington	357.997	331,362
56. MBank Alamo, National Association, San Antonio	784.855	708.152
57. MBank Denton County, National Association, Lewisville	220.122	212.291
58. MBank Longview, National Association, Longview	264.994	254.672
59. MBank Wichita Falls, National Association, Wichita Falls	484.828	450.521
60. MBank Sherman, National Association, Sherman	282.027	271.442
TOTALS	15,640.651	11,788.295

*All transactions were purchase and assumption transactions with the exception of #44, MBank Abilene, National Association, which was handled as an insured deposit transfer.

CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED, WHOLE BANK TRANSACTIONS CHECKED

61. HARVARD BANK, TULSA, OKLAHOMA. Total assets of $22.5 milion. Closed March 30, 1989. Deposits of $22.2 million assumed by Southern National Bank, Tulsa, Oklahoma. FDIC outlay $3.707 million. This was a whole bank transaction. (PR 64-89)

62. FIRST SERVICE BANK FOR SAVINGS, LEOMINSTER, MASSACHUSETTS. Total assets of $854.9 million. Closed March 31, 1989. Insured deposits transferred to Peoples Savings Bank, Worcester, Massachusetts. The number and amount of accounts that exceeded the federal insurance limit has yet to be determined. FDIC outlay $346.7 million. (PR 68-89)

63. INTERSTATE BANK OF COMMERCE, MIAMI, FLORIDA. Total assets of $6.0 million. Closed March 31, 1989. PAYOFF. Deposits totaled about $6.2 million including about $8,000 in six accounts that exceeded the federal insurance limit. FDIC outlay $6.191 million. (PR 69-89)

64. PREMIER BANK, A NATIONAL ASSOCIATION, DALLAS, TEXAS. Total assets of $38.9 million. Closed March 31, 1989. Insured deposits transferred to Deposit Guaranty Bank, Dallas, Texas. Deposits totaled $36.1 million, including about $2.0 million in 78 accounts that exceeded the federal insurance limit. FDIC outlay $31.2 million. (PR 74-89)

65 FIRST NATIONAL BANK OF NOCONA, NOCONA, TEXAS. Total assets of $24.0 million. Closed on April 6, 1989. Deposits of $24.5 million assumed by The First National Bank of Bowie, Bowie, Texas. FDIC outlay $3.921 million. (PR 80-89)

66. ST. TAMMANY NATIONAL BANK, MANDEVILLE, LOUISIANA. Total assets of $50.1 million. Closed April 6, 1989. Deposits of $50.3 million assumed by Whitney National Bank in St. Tammany Parish, Mandeville, Louisiana, a newly-chartered national bank subsidiary of Whitney Holding Corporation, New Orleans, Louisiana. FDIC outlay $5.750 million. This was a whole bank transaction. (PR 79-89)

67. THE COMMONWEALTH BANK, BELLAIRE, TEXAS. Total assets of $58.3 million. Closed April 12, 1989. Deposits of $53.0 million assumed by Park National Bank of Houston, Houston, Texas. FDIC outlay $4.506 million. (PR 78-89)

68. ALLIED OKLAHOMA BANK, NATIONAL ASSOCIATION, OKLAHOMA CITY, OKLAHOMA. Total assets of $59.9 million. Closed April 13, 1989. Deposits of $59.5 million assumed by Central Bank of Oklahoma City, Oklahoma City, Oklahoma. FDIC outlay $9.691 million. This was a whole bank transaction. (PR 81-89)

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED.

69. TRAVIS BANK AND TRUST, AUSTIN, TEXAS. Total assets of $55,5 million. Closed April 20, 1989. Deposits of $48.5 million assumed by Union National Bank of Texas, Austin, Texas. FDIC outlay $16.667. (PR 84-89)

70. FIRST STATE BANK, DEANVILLE, TEXAS. Total assets of $9.5 million. Closed on April 20, 1989. Deposits of $9.5 million assumed by Citizens State Bank, Somerville, Texas. FDIC outlay $1.031 million. This was a whole bank transaction. (PR 85-89) ✓

71. CONTINENTAL NATIONAL BANK, SAN ANTONIO, TEXAS. Total assets of $12.3 million. Closed on April 20, 1989. Deposits of $12.1 million assumed by Citizens State Bank of Luling, Luling, Luling, Texas. FDIC outlay $3.574 million. (PR 86-89)

72. ALLIANCE BANK, ANCHORAGE, ALASKA. Total assets of $813.1 million. Closed on April 21, 1989. Deposits of $792.9 million assumed by National Bank of Alaska, Anchorage, Alaska. FDIC outlay $356.692 million. (PR 87-89)

73. SEMINOLE NATIONAL BANK, HOLLYWOOD, FLORIDA. Total assets of $7.8 million. Closed April 27, 1989. Deposits of $7.8 million assumed by Family Bank of Hallandale, Hallandale, Florida. FDIC outlay $953,000. This was a whole bank transaction. (PR 90-89) ✓

74. BANK OF LAKEWOOD, NATIONAL ASSOCIATION, LAKEWOOD, COLORADO. Total assets of $10.3 million. Closed April 27, 1989. Deposits of $9.1 million assumed by Bank of Lakewood, Lakewood, Colorado, a newly-chartered subsidiary of Mountain West Banking Corporation, Denver, Colorado. FDIC outlay $2.733 million. This was a whole bank transaction. (PR 91-89). ✓

75. KATY NATIONAL BANK, KATY, TEXAS. Total assets of $61.8 million. Closed May 4, 1989. Deposits of $58.8 million assumed by First Bank, Navasota, Texas. FDIC outlay $15.056 million. (PR 93-89)

76. FIRST NATIONAL BANK OF EAST BATON ROUGE, BATON ROUGE, LOUISIANA. Total assets of $30.9 million. Closed May 4, 1989. Deposits of $30.7 million assumed by The First National Bank in St. Mary Parish, Morgan City, Louisiana. FDIC outlay $18.023 million. (PR 94-89)

77. GREATER TEXAS BANK LEANDER, LEANDER, TEXAS. Total assets of $22.3 million. Closed May 4, 1989. Deposits of $21.3 million assumed by Hill Country Bank, a newly-chartered state nonmember bank. FDIC outlay $20.5 million. (PR 95-89)

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED

78. LEXINGTON STATE BANK, LEXINGTON, TEXAS. Total assets of $14.4 million. Closed May 12, 1989. Deposits of $14.4 million assumed by Central Bank of Houston, Houston, Texas. FDIC outlay $3.728 million. (PR 96-89

79. LEWIS COUNTY SAVINGS AND LOAN COMPANY, WESTON, WEST VIRGINIA. Total assets of $4.1 million. Closed May 12, 1989. Deposits of $4.0 million assumed by Community Bank & Trust, National Association, Fairmont, West Virginia. FDIC outlay $2.182 million. (PR 97-99)

80. THE FIRST NATIONAL BANK OF GORDON, GORDON, TEXAS. Total assets of $12.8 million. Closed May 18, 1989. Deposits of $12.4 million assumed by The First National Bank of Albany, Albany, Texas. FDIC outlay $1.104 million. This was a whole bank transaction. (PR 100-89) ✓

81. SECURITY BANK AND TRUST COMPANY, WHARTON, TEXAS. Total assets of $41.4 million. Closed May 18, 1989. Deposits of $39.5 million assumed by The First National Bank of El Campo, El Campo, Texas. FDIC outlay $8.7 million. (PR 101-89)

82. FIRST NATIONAL BANK AT OSWEGO, OSWEGO, KANSAS. Total assets of $23.9 million. Closed May 18, 1989. Deposits of $22.8 million assumed by Parsons Commercial Bank, Parsons, Kansas. FDIC outlay $1.072 million. This was a whole bank transaction. (PR 102-89) ✓

83. THE BANK OF EDMOND, NATIONAL ASSOCIATION, EDMOND, OKLAHOMA. Total assets of $9.1 million. Closed May 18, 1989. Deposits of $9.0 million assumed by First Interstate Bank of Oklahoma, National Association, Oklahoma City, Oklahoma. FDIC outlay $480,000. This was a whole bank transaction. (PR 103-89) ✓

84. GRAND CANYON STATE BANK, SCOTTSDALE, ARIZONA. Total assets of $11.2 million. Closed May 19, 1989. Insured deposits transferred to Bank of Fountain Hills, Fountain Hills, Arizona. Deposits of $10.4 million, including about $4,000 in 17 accounts that exceeded the insurance limit. FDIC outlay $8.492 million. (PR 105-89)

85. FIRST EASTERN BANK & TRUST COMPANY, NEW ORLEANS, LOUISIANA. Total assets of $30.2 million. Closed May 24, 1989. Deposits of $30.0 million assumed by Peoples Bank & Trust Company of St. Bernard, Chalmette, Louisiana. FDIC outlay $23.966 million. (PR 106-89)

86. COMMERCE AND ENERGY BANK OF LAFAYETTE, LAFAYETTE, LOUISIANA. Total assets of $32.9 million. Closed May 24, 1989. Deposits of $30.4 million assumed by MidSouth National Bank, Lafayette, Louisiana. FDIC outlay $5.984 million. This was a whole bank transaction. (PR 107-89) ✓

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CLOSED-BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED

87. THE BANK OF AURORA, AURORA, COLORADO. Total assets of $6.4 million. Closed May 24, a989. PAYOFF. Deposits of $5.5 million, including $76,000 in 13 accounts that exceeded the insurance limit. FDIC outlay $5.987 million.(PR 108-89)

88. LIBERTY NATIONAL BANK, DALLAS, TEXAS. Total assets of $72.1 million. Closed May 25, 1989. Deposits of $69.2 million assumed by Cornerstone Bank, National Association, Dallas, Texas. FDIC outlay $9.014 million. (PR 109-89)

89. THE FIRST STATE BANK, FORGAN, OKLAHOMA. Total assets of $11.7 million. Closed May 31, 1989. Deposits of $11.1 million assumed by The Bank of Beaver City, Beaver, Oklahoma. This was a whole bank transaction. FDIC outlay $190,000. (PR 110-89). ✓

90. FULSHEAR STATE BANK, FULSHEAR, TEXAS. Total assets of $9.7 million. Closed June 9, 1989. PAYOFF. Deposits of $9.8 million, including $149,000 in 17 accounts that exceeded the insurance limit. FDIC outlay $9.659 million. (PR 111-89).

91. LAKE COUNTRY NATIONAL BANK, BURNET, TEXAS. Total assets of $7.2 million. Closed June 9, 1989. Insured deposits transferred to Lake Buchanan State Bank, Buchanan Dam, Texas. Deposits of $7.1 million including $26,000 in 16 accounts that exceeded the insurance limit. FDIC outlay $7.056 million. (PR 112-89).

92. FIRST AMERICAN BANK, SAN ANTONIO, TEXAS. Total assets of $14.0 million. Closed June 8, 1989. Insured deposits transferred to Jourdanton State Bank, Jourdanton, Texas. Deposits of $13.9 million including $43,000 in 14 accounts that exceeded the insurance limit. FDIC outlay $11.111 million. (PF 113-89).

93. TREASURE STATE BANK, GLASGOW, MONTANA. Total assets of $14.6 million. Closed June 9, 1989. Deposits of $12.9 million assumed by Valley State Bank of Glasgow, Glasgow, Montana, a newly-chartered bank. This was a whole bank transaction. FDIC outlay $1.751 million. (PR 115-89). ✓

94 CAPITAL BANK-NORTHWEST, NATIONAL ASSOCIATION, SAN ANTONIO, TEXAS. Total assets of $16.0 million. Closed June 15, 1989. Insured deposits transferred to McMullen County State Bank, Tilden, Texas. Deposits of $16.9 million, including $143,000 in 10 accounts that exceeded the insurance limit. FDIC outlay $12.185 million. (PR 117-89).

95. HELOTES STATE BANK, HELOTES, TEXAS. Total assets of $20.4 million. Closed June 15, 1989. Deposits of $19.7 million assumed by Bank of Leon Springs, San Antonio, Texas. This was a whole bank transaction. FDIC outlay $4.555 million. (PR 118-89). ✓

96. NORTHERN BANK & TRUST, FORT COLLINS, COLORADO. Total assets of $7.7 million. Closed June 15, 1989. Deposits of $7.3 million assumed by Union Colony Bank, Greeley, Colorado. This was a whole bank transaction. FDIC outlay $219,000. (PR 118-89). ✓

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CLOSED BANKS AND ASSISTANCE TRANSACTION FOR 1989
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED.

97 GUARDIAN BANK, N.A., HEMPSTEAD, NEW YORK. Total assets $419.8 million. Closed June 21, 1989. PAYOFF. Deposits of $389.4 million, including an undetermined number of accounts that exceeded the federal insurance limit. FDIC outlay unknown at this time. (PR 121-89).

98. PRESTON NORTH NATIONAL BANK, DALLAS, TEXAS. Total assets of $6 million. Closed June 22, 1989. Deposits of $5.8 million assumed by Sequor National Bank Texas, Dallas, Texas, a newly-chartered national bank subsidiary of Security Pacific Corporation. This was a whole bank transaction. FDIC outlay $1.514 million. (PR 122-89). ✓

99 HOBBY COMMUNITY BANK, HOUSTON, TEXAS. Total assets of $8.1 million. Closed June 29, 1989. Deposits of $8.2 million assumed by Iola State Bank, Iola, Texas. FDIC outlay $3.280 million. (PR 126-89).

100 NEW ULM STATE BANK, NEW ULM, TEXAS. Total assets of $12.2 million. Closed June 29, 1989. Deposits of $11.8 million assumed by Industry State Bank, Industry, Texas. This was a whole bank transaction. FDIC outlay $2.602 million. (PR 127-89). ✓

101 FIRST NATIONAL BANK OF RICHARDSON, RICHARDSON, TEXAS. Total assets of $43.2 million. Closed June 30, 1989. Deposits of $42.8 million assumed by Deposit Guaranty Bank, Dallas, Texas. FDIC outlay $10.825 million. (PR 128-89).

102 INDEPENDENT BANK-EAST, NATIONAL ASSOCIATION, ROCKWALL, TEXAS. Total assets of $36.9 million. Closed June 30, 1989. Insured deposits transferred to American National Bank of Terrell, Terrell, Texas. The number and amount of uninsured deposits will not be determined until a further review of the failed bank's records. FDIC outlay $32.193 million. (PR-129-89).

103 102 VALLEY BANK, HOPKINS, MISSOURI. Total assets of $5.2 million. Closed July 5, 1989. Insured deposits transferred to The Nodaway Valley Bank, Maryville, Missouri. All deposits believed to be within the insurance limit. FDIC outlay $5.079 million. (PR 130-89).

104 THE STERLINGTON BANK, STERLINGTON, LOUISIANA. Total assets $15.8 million. Closed July 13, 1989. Deposits of $15.0 million assumed by Bank of St. Joseph & Trust Company, St. Joseph, Louisiana. FDIC outlay $2.182 million. (PR 132-89).

105 NATIONAL BANK OF COMMERCE OF BROWNSVILLE, BROWNSVILLE, TEXAS. Total assets of about $33.1 million. Closed July 13, 1989. Deposits of about $32.9 million assumed by Texas Commerce Bank Rio Grande, Brownsville, Texas. FDIC outlay $22.2 million. (PR 133-89).

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CLOSED BANKS AND ASSISTANCE TRANSACTION FOR 1989.
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED..

106 BENNETT NATIONAL BANK, BENNETT, COLORADO. Total assets of $8.4 million. Closed July 13, 1989. Insured deposits transferred to The First National Bank of Strasburg, Colorado. Deposits of abouty $8 million, including about $8,000 in 9 accounts that exceeded the insurance limit. FDIC outlay $6.238 million. (PR 134-89).

107 INDEPENDENT BANK, NATIONAL ASSOCIATION, COPPELL, TEXAS. Total assets of about $33.3 million. Closed July 14, 1989. Deposits of about $33.6 million, including about $510,000 in 37 accounts that exceeded the insurance limit. FDIC outlay $29.2 million. (PR 135-89).

108 FALLBROOK NATIONAL BANK, HOUSTON, TEXAS. Total assets of $36.8 million. Closed July 20, 1989. Insured deposits transferred to Charter National Bank-Colonial, Harris County, Texas. Deposits of about $34.5 million, including $57,000 in 12 accounts that exceeded the insurance limit. FDIC outlay $31.2 million. (PR 139-89).

109 UTICA NATIONAL BANK & TRUST COMPANY, TULSA, OKLAHOMA. Total assets of $218.9 million. Closed July 20, 1989. Deposits of $205.7 million assumed by The F & M Bank & Trust Company, Tulsa, Oklahoma. FDIC outlay $75.9 million. (PR 140-89).

THE 24 BANKS OF TEXAS AMERICAN BANKSHARES INC., FORTH WORTH, TEXAS, WERE ACQUIRED BY DEPOSIT GUARANTY BANK, DALLAS, WITH FDIC ASSISTANCE. ON JULY 20, 1989. THE NAMES OF THE BANKS, THE AMOUNTS OF THE ASSETS AND DEPOSITS, WILL BE FOUND ON PAGE 12.

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED.

On July 20, 1989, the FDIC Board of Directors approved the assumption of deposits and purchase of substantially all assets of the 24 commercial bank subsidiaries of Texas American Bancshares, Inc., Forth Worth, Texas, by a newly federally-chartered bridge bank, Texas American Bridge Bank, National Association, Fort Worth, Texas. The Board also aproved the acquisition of the new bank by Deposit Guaranty Bank, Dallas, with FDIC assistance. All the failed banks reopened Friday, July 21, 1989 as brances of Texas American Bank. The new bank has total assets of approximately $4.2 billion and deposits of approximately $4.1 billion. Figures shown are as of May 31, 1989.

		IN MILLIONS	
		ASSETS	DEPOSITS
110	Texas American Bank, Fort Worth, N.A.	$2,124,484	$1,393,976
111	Texas American Bank, Galleria, N.A.	314,490	360,091
112	Texas American Bank, Dallas, N.A.	252,463	265,676
113	Texas American Bank, Amarillo, N.A.	222,252	208,919
114	Texas American Bank, Duncanville, N.A.	221,685	216,217
115	Texas American Bank, Levelland	202,315	182,790
116	Texas American Bank, McKinney,N.A.	179,886	170,423
117	Texas American Bank, Tyler, N.A.	158,408	141,469
118	Texas American Bank, Austin, N.A.	154,328	186,985
119	Texas American Bank, Fredericksburg, N.A.	146,984	139,383
120	Texas American Bank, Midland, N.A.	142,935	132,519
121	Texas American Bank, Denison, N.A.	140,203	136,076
122	Texas American Bank, Longview, N.A.	91,776	91,343
123	Texas American Bank, Breckenridge, N.A.	87,258	86,821
124	Texas American Bank, Temple, N.A.	73,262	72,683
125	Texas American Bank, LBJ, N.A.	71,149	69,429
126	Texas American Bank, Wichita Falls, N.A.	68,126	65,399
127	Texas American Bank, Forum, N.A.	67,239	65,675
128	Texas American Bank, Prestonwood, N.A.	51,908	50,363
129	Texas American Bank, Farmers Branch, N.A.	51,833	49,380
130	Texas American Bank, Richardson, N.A.	45,175	42,159
131	Texas American Bank, Southwest, N.A.	39,394	41,487
132	Texas American Bank, Plano, N.A.	37,063	37,018
133	Texas American Bank, Greater Southwest	35,452	33,335

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989

AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED.

134 FIDELITY BANK, SCOTTSDALE, ARIZONA. Total assets of $11.5 million. Closed July 21, 1989. Deposits of $11.7 million assumed by The Bank of Fountain Hills, Fountain Hills, Arizona. FDIC outlay $4.1 million. (PR 144-89).

135 HIDALGO COUNTY BANK, MERCEDES, TEXAS. Total assets of $19.3 million. Closed July 26, 1989. Deposits of $18.7 million assumed by The First National Bank of La Feria, La Feria, Texas. FDIC outlay $4.081 million. (PR 143-89).

136 THE TEXAS BANK & TRUST COMPANY, SWEETWATER, TEXAS. Total assets of $36.5 million. Closed July 27, 1989. Deposits of $35.6 million assumed by First National Bank, Sweetwater, Texas, in Sweetwater, Texas. FDIC outlay $18.4 million. (PR 145-89).

137 BRUSHY CREEK NATIONAL BANK, ROUND ROCK, TEXAS. Total assets of $10.1 million. Closed July 27, 1989. Deposits of $10.1 million assumed by Union National Bank, Austin, in Austin, Texas. FDIC outlay $3.519 million. (PR 146-89).

138 FORESTWOOD NATIONAL BANK OF DALLAS, DALLAS, TEXAS. Total assets of $61.4 million. Closed July 27, 1989. Insured deposits transferred to Comerica Bank-Texas, Dallas, Texas. Deposits of $58.5 million, including about $617,000 in 24 accounts that exceeded the insurance limit. FDIC outlay $17.850 million. (PR 147-89.

139 EMPIRE STATE BANK, NEW YORK, NEW YORK. Total assets of $30.3 million. Closed July 28, 1989, PAYOFF. Deposits of $26.7 million including about $1.8 million in 52 accounts that exceeded the insurance limit. FDIC outlay $26.7 million. (PR 149-89).

140 BARNARD STATE BANK, BARNARD, KANSAS. Total assets of $5.2 million. Closed August 3, 1989. Deposits of $5.2 million assumed by Saline Valley Bank, Lincoln, Kansas. FDIC outlay $1.832 million. (PR 154-89)

141 FIRST BANK AND TRUST COMPANY, YALE, OKLAHOMA. Total assets of $28.7 million. Closed August 3, 1989. Deposits of $28.3 million assumed by Mannford State Bank, Mannford, Oklahoma. FDIC outlay $6.054 million. (PR 155-89)

142 UNIVERSITY NATIONAL BANK, SAN ANTONIO, TEXAS. Total assets of $20.0 million. Closed August 3, 1989. Deposits of $21.3 million assumed by The Frost National Bank of San Antonio, San Antonio, Texas. FDIC outlay $21.384 million. (PR 156-89)

143 PARK FORTY-FIVE NATIONAL BANK, SPRING, TEXAS. Total assets of $21.1 million. Closed August 3, 1989. Insured deposits transferred to Klein Bank, Harris County, Texas. Deposits of $21.2 million, including $296,000 in 10 accounts that exceeded the insurance limit. FDIC outlay $7.199 million. (PR 157-89)

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED.

144 FIRST STATE BANK, LIBERTY, TEXAS. Total assets of $63.1 million. Closed August 17, 1989. Deposits of $60.5 million assumed by First City, Texas-Beaumont, National Association, Beaumont, Texas. FDIC outlay $24.176 million. (PR 163-89).

145 FIRST STATE BANK OF McKINNEY, McKINNEY, TEXAS. Total assets of $21.8 million. Closed August 17, 1989. Deposits of $20.6 million assumed by First Bank, Farmersville, Texas. FDIC outlay $5.486 million. (PR 164-89).

146 CITIZENS NATIONAL BANK OF KILLEEN, KILLEEN, TEXAS. Total assets of $35.5 million. Closed August 17, 1989. Deposits of $34.9 million assumed by First National Bank of Temple, Temple, Texas. FDIC outlay $9.425 million. (PR 165-89).

147 THE DAKOTA BANK, GRAND FORKS, NORTH DAKOTA. Total assets of $30.3 million. Closed August 24, 1989. Insured deposits transferred to First National Bank South, Grand Forks, North Dakota, a newly-chartered national bank subsidiary of First National Corporation, Grand Forks, North Dakota. Deposits of $28.1 million, including about $562,000 in 23 accounts that exceeded the insurance limit. FDIC outlay $12.249. (PR 167-89).

148 FIRST STATE BANK, PFLEUGERVILLE, TEXAS. Total assets of $32.0 million. Closed August 24, 1989. Deposits of $32.0 million assumed by Hibernia National Bank in Texas, a newly-chartered national bank subsidiary of Hibernia Corporation, New Orleans, Louisiana. FDIC out $23.178 million. (PR 168-89).

149 TROUP BANK & TRUST COMPANY, TROUP, TEXAS. Total assets of $26.7 million. Closed August 24, 1989. Deposits of $27.0 million assumed by First National Bank of Jacksonville, Jacksonville, Texas. FDIC outlay $5.6 million. (PR 169-89).

150 FARMERS STATE BANK OF YUMA, YUMA, COLORADO. Total assets of $30.1 million. Closed August 24, 1989. Deposits of $25.4 million assumed by First Security Bank, Fort Lupton, Colorado. This was whole bank transaction. FDIC outlay $2.866 million. (PR 170-89) ✓

151 PARK CENTRAL BANK, NATIONAL ASSOCIATION, FORT WORTH, TEXAS. Total assets of $12.6 million. Closed August 24, 1989. Insured deposits transferred to Colonial National Bank, Fort Worth, Texas. Deposits of $13.8 million including about $14,000 in 13 accounts that exceeded the insurance limit. FDIC outlay $13.029 million. (PR 171-89)

152 SUMMIT BANK, SAN ANTONIO, TEXAS. Total assets of $18.8 million. Closed August 24, 1989. Insured deposits transferred to The Frost National Bank of San Antonio, San Antonio, Texas. Deposits of $17.9 million including about $2.2 million in 23 accounts that exceeded the insurance limit. FDIC outlay $11.147. (PR 172-89)

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989

AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED.

153 THE BURR OAK STATE BANK, BURR OAK, KANSAS. Total assets of $4.2 million. Closed August 31, 1989. Insured deposits transferred to First National Bank in Mankato, Mankato, Kansas. Deposits of $4.0 million, all believed to be within the federal insurance limit. FDIC outlay $2.906 million. (PR 176-89).

154 LIBERTY BANK, GLENDALE, ARIZONA. Total assets of $28.1 million. Closed September 1, 1989. Deposits of $27.5 million assumed by Community Bank of Arizona, Wickenburg, Arizona. FDIC outlay $11.931 million. (PR 177-89)

155 THE LASALLE STATE BANK, JENA, LOUISIANA. Total assets of $39.1 million. Closed September 7, 1989. Deposits of $37.8 million assumed by Jonesville Bank & Trust Company, Jonesville, Louisiana. FDIC outlay $2.807 million. (PR 178-89).

156 THOUSAND OAKS NATIONAL BANK, SAN ANTONIO, TEXAS. Total assets of $31.5 milion. Closed September 7, 1989. Deposits of $32.6 million assumed by Hibernia National Bank in Texas, Pflugerville, Texas. This was a whole bank transaction. FDIC outlay $8.039 million. (PR 179-89). ✓

157 FIRST BANKERS TRUST OF BOSSIER CITY, BOSSIER CITY, LOUISIANA. Total deposits of $26.9 million. Closed September 14, 1989. Deposits of $28.8 million assumed by First American Bank & Trust of Louisiana, Monroe, Louisiana. This was a whole bank transaction. FDIC outlay $8.237 million. (PR 181-89). ✓

158 PRAIRIE STATE BANK, GRAND PRAIRIE, TEXAS. Total assets of $26.9 million Closed September 14, 1989. Insured deposits transferred to Bedford National Bank, Bedford, Texas. Deposits of $16.5 million, including about $167,000 in 8 accounts that exceeded the insurance limit. FDIC outlay $10.586 million. (PR 182-89).

159 KIRBY STATE BANK, KIRBY, TEXAS. Total assets of $15.8 million. Closed September 14, 1989. Deposits of $15.8 million assumed by Schertz Bank & Trust, Schertz, Texas. FDIC outlay $3.639 million. (PR 183-89).

160 MEDCENTRE BANK, NATIONAL ASSOCIATION, SAN ANTONIO, TEXAS. Total assets of $31.4 million. Closed September 14, 1989. Deposits of $30.9 million assumed by First City, Texas-San Antonio, National Association, San Antonio, Texas. FDIC outlay $9.575 million. (PR 184-89).

161 ROSE CAPITAL BANK, TYLER, TEXAS. Total assets of 64.6 million. Closed September 21, 1989. Deposits of $61.1 million assumed by First City, Texas-Tyler, National Association, Tyler, Texas. FDIC outlay $16.831. (PR 185-89).

162 THE FARMERS STATE BANK, LYMAN, NEBRASKA. Total assets of $5.1 million. Closed September 23, 1989. Deposits of $4.8 million assumed by First National Bank in Morrill, Morrill, Nebraska. FDIC outlay $4.022 million. (PR 186-89).

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED.

163 NATIONAL BANK OF ARIZONA, SCOTTSDALE, ARIZONA. Total assests of $15.8 million. Closed September 29, 1989. Deposits of $13.7 million assumed by Security Pacific Bank, National Association, Scottsdale, Arizona. FDIC outlay $4.823 million. (PR 190-89).

164 THE OLLA STATE BANK, OLLA, LOUISIANA. Total assets of $23.4 million. Closed October 5, 1989. Deposits of $22.8 million assumed by Jonesville Bank & Trust Company, Jonesville, Louisiana. FDIC outlay $4.115 million. (PR 191-89).

165 COMMONWEALTH BANK, ARLINGTON, TEXAS. Total assets of $96.1 million. Closed October 5, 1989. Deposits of $77.8 million assumed by Comerica Bank - Texas, Dallas, Texas. FDIC outlay $21.018 million. (PR 192-89).

166 STRAWN SECURITY BANK, STRAWN, TEXAS. Total assets of $15.7 million. Closed on October 5, 1989. Deposits of $14.2 million assumed by The First National Bank of Albany, Albany, Texas. FDIC outlay $12.052 million. (PR 193-89).

167 FIRST NATIONAL BANK OF VAIL, VAIL, COLORADO. Total assets of $3.6 million. Closed on October 5, 1989. Deposits of $3.7 million assumed by Bank Northwest, Steamboat Springs, Colorado. FDIC outlay $1.325 million. (PR 194-89).

168 FIRST BANK, COLORADO SPRINGS, COLORADO. Total assets of $34.6 million. Closed October 6, 1989. Deposits of $30.7 million assumed by Colorado National Bank - Exchange, Colorado Springs, Colorado. FDIC outlay $25.139 million. (PR 195-89).

169 CITIZENS BANK, GALVESTON, TEXAS. Total assets of $31.6 million. Closed October 12, 1989. Deposits of $32.3 million assumed by Bank of Galveston, National Association, Galveston, Texas. FDIC outlay $5.614 million. (PR 197-89).

170 NORTH BANK NATIONAL ASSOCIATION, OKLAHOMA CITY, OKLAHOMA. Total assets of $11.9 million. Closed October 12, 1989. Deposits of $11.8 million assumed by The Liberty National Bank and Trust Company of Oklahoma, Oklahoma City, Oklahoma. FDIC outlay $1.739 million. (PR 198-89).

171 PARK AVENUE BANK, NATIONAL ASSOCIATION, OKLAHOMA CITY, OKLAHOMA. Total assets of $18.0 million. Closed October 19, 1989. Deposits of $14.9 million assumed by Founders Bank & Trust Company, Oklahoma City, Oklahoma. FDIC outlay $1.013 million. (PR 200-89). ✓

172 BEAUMONT BANK - NATIONAL ASSOCIATION, BEAUMONT, TEXAS. Total assets of $24.9 million. Closed October 19, 1989. Deposits of $22.5 million assumed by Texas Commerce Bank - Beaumont, National Association, Beaumont, Texas. FDIC outlay $16.448 million. (PR 201-89).

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989 AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED.

173 CENTURY BANK, PHOENIX, ARIZONA. Total assets $129.6 million. Closed October 19, 1989. Deposits of $125.7 million assumed by Valley Cpaital Corporation, Las Vegas, Nevada. FDIC outlay $31.804 million. (PR 202-89).

174 FIRST CONSOLIDATED BANK - FERRIS, FERRIS, TEXAS. Total assets of $11.8 million. Closed October 20, 1989. Deposits of $10.9 million assumed by First City, Texas - Bryan, National Association, Bryan, Texas. FDIC outlay $8.435 million. (PR 204-89).

175 FIRST CONSOLIDATED BANK - PLEASANT RUN, AT I-35, NATIONAL ASSOCIATION, LANCASTER, TEXAS. Total assets of $19.5 million. Closed October 20, 1989. Deposits of $19.3 million assumed by First City, Texas - Bryan, National Association, Bryan, Texas. FDIC outlay $16.529 million. (PR 204-89).

176 FIRST CONSOLIDATED BANK - ROSEBUD, NATIONAL ASSOCIATION, ROSEBUD, TEXAS. Total assets $16.2 million. Closed October 20, 1989. Deposits of $14.9 million assumed by First City, Texas - Bryan, National Association, Bryan, Texas. FDIC outlay $13.418 million. (PR 204-89).

177 FIRST CONSOLIDATED BANK - HILLSBORO, NATIONAL ASSOCIATION, HILLSBORO, TEXAS. Total assets $10.3 million. Closed October 20, 1989. Deposits of $9.7 million assumed by First State Bank, Hubbard, Texas. FDIC outlay $2.547 million (PR 205-89).

178 FIRST CONSOLIDATED BANK - BUDA, NATIONAL ASSOCIATION, BUDA, TEXAS. Total assets $15.0 million. Closed October 20, 1989. Deposits of $14.6 million assumed by Austin National Bank, Austin, Texas. FDIC outlay $13.565 million. (PR 206-89).

179 WESTERN NATIONAL BANK OF LOUISIANA, KAPLAN, LOUISIANA. Total assets $12.5 million. Closed October 26, 1989. Deposits of $12.4 million assumed by Kaplan State Bank, Kaplan, Louisiana. FDIC outlay $1.850 million (PR 207-89). ✓

180 FIRST SECURITY BANK AND TRUST COMPANY, HAUGHTON, LOUISIANA. Total assets $20.2 million. Closed October 26, 1989. Deposits of $20.4 million assumed by Tri-State Bank and Trust, Haughton, Louisiana. FDIC outlay $6.277 million. (PR 208-89). ✓

181 BANK OF ST. CHARLES, ST. ROSE, LOUISIANA. Total assets $67.7 million. Closed November 2, 1989. Deposits of $65.2 million assumed by First American Bank and Trust, Vacherie, Louisiana. FDIC outlay $13.687 million. (PR 211-89). ✓

182 UNITED NATIONAL BANK OF PLANO, PLANO, TEXAS. Total assets $34.9 million. Closed November 9, 1989. Deposits of $34.4 million assumed by Hibernia National Bank in Texas, Pflugerville, Texas. FDIC outlay $10.002 million. (PR 215-89).

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED.

183 THE LEE STATE BANK, BROWERVILLE, MINNESOTA. Total assets $13.8 million. Closed November 9, 1989. Deposits of $13.4 million assumed by First National Bank of Long Prairie, Long Prairie, Minnesota. FDIC outlay $3.560 million. (PR 216-89).

184 CITY NATIONAL BANK OF PLANO, PLANO, TEXAS. Total assets $64.5 million. Closed November 9, 1989. Deposits of $72.5 million assumed by Compass Bank - Plano, Plano, Texas. FDIC outlay $29.401 million. (PR 217-89). ✓

185 NATIONAL INDUSTRIAL BANK OF CONNECTICUT, MERIDEN, CONNECTICUT. Total assets $48.9 million. Closed November 9, 1989. Deposits of $47.7 million assumed by Central Bank, Meriden, Connecticut. FDIC outlay $6.144 million. (PR 215-89).

186 LOVE FIELD NATIONAL BANK, DALLAS, TEXAS. Total assets $31.0 million. Closed November 16, 1989. Deposits of $32.1 million assumed by Hibernia National Bank in Texas, Pflugerville, Texas. FDIC outlay $8.545 million. (PR 220-89).

187 EXECUTIVE NATIONAL BANK, SAN ANTONIO, TEXAS. Total assets $8.0 million. Closed November 16, 1989. Deposits of $8.9 million assumed by Hibernia National Bank in Texas, Pflugerville, Texas. FDIC outlay $2.591 million. (PR 221-89).

188 SECURITY NATIONAL BANK OF SHREVEPORT, SHREVEPORT, LOUISIANA. Total assets $16.5 million. Closed November 17, 1989. Deposits of $16.2 million were paid off to insured depositors. FDIC outlay $15.777 million. (PR 222/3-89).

189 GREATER TEXAS BANK NORTH, NATIONAL ASSOCIATION, AUSTIN, TEXAS. Total assets $26.9 million. Closed November 30, 1989. Deposits of $26 million assumed by Hibernia National Bank in Texas, Pflugerville, Texas. FDIC outlay $11.488 million. (PR 225-89).

190 GREATER TEXAS BANK SOUTHWEST, NATIONAL ASSOCIATION, TRAVIS COUNTY, TEXAS. Total assets $34 million. Closed November 30, 1989. Deposits of $32.6 million assumed by NCNB Texas National Bank, Dallas, Texas. FDIC outlay $6.994 million. (PR 226-89).

191 CENTRAL DAKOTA BANK, LEHR, NORTH DAKOTA. Total assets $13.3 million. Closed December 1, 1989. Deposits of $13.2 million assumed by Security State Bank, Wishek, North Dakota, located in Wishek, North Dakota. FDIC outlay $9.360 million. (PR 228-89).

192 FIRST SECURITY BANK OF GLENDIVE, GLENDIVE, MONTANA. Total assets $34.5 million. Closed December 1, 1989. Deposits of $32.1 million assumed by The First National Bank of Glendive, Glendive, Montana. FDIC outlay $1.671 million. (PR 229-89). ✓

CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989 AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED.

193 ATLANTIC NATIONAL BANK, NORFOLK, VIRGINIA. Total assets $15.4 million. Closed December 7, 1989. Deposits of $14.1 million assumed by New Atlantic Bank, National Association, Norfolk, Virginia. FDIC outlay $2.771 million. (PR 231-89).

194 ALEDO STATE BANK, ALEDO, TEXAS. Total assets $10.1 million. Closed December 7, 1989. Deposits of $9.8 million assumed by Citizens National Bank of Weatherford, Weatherford, Texas. FDIC outlay $0.754 million. (PR 232-89).

195 FIRST NATIONAL BANK OF FRISCO, FRISCO, TEXAS. Total assets $8.7 million. Closed December 7, 1989. Deposits of $8.9 million assumed by Hibernia National Bank in Texas, Pflugerville, Texas. FDIC outlay $1.415 million. (PR 233-89).

196 FIRST COMMERCE NATIONAL BANK, PHOENIX, ARIZONIA. Total assets $20.2 million. Closed December 7, 1989. Deposits of $20.1 million assumed by CitiBank, Phoenix, Arizonia. FDIC outlay $11.886 million. (PR 234-89).

197 ORANGE STATE BANK, MIAMI, FLORIDA. Total assets $7.6 million. Closed December 8, 1989. Deposits of $7.5 million assumed by Helm Bank, Miami, Florida. FDIC outlay $1.280 million. (PR 235-89).

198 WESTHEIMER MEMORIAL BANK, NATIONAL ASSOCIATION, HOUSTON, TEXAS. Total assets $50.4 million. Closed December 8, 1989. Deposits of $48.2 million assumed by Hibernia National Bank in Texas, Pflugerville, Texas. FDIC outlay $21.199 million. (PR 236-89).

199 FIRST BANK, PINEVILLE, LOUISIANA, PINEVILLE, LOUISIANA. Total assets $80.7 million. Closed December 8, 1989. Deposits of $75.1 million assumed by Rapides Bank & Trust Company in Alexandria, Alexandria, Louisiana. FDIC outlay $64.421 million. (PR 237-89).

200 CITY NATIONAL BANK OF SAYRE, SAYRE, OKLAHOMA. Total assets 22.1 million. Closed December 13, 1989. Deposits of $22.6 million assumed by First State Bank and Trust Company, Hollis, Oklahoma. FDIC outlay $4.466 million. (PR 238-89). ✓

201 MIDLOTHIAN NATIONAL BANK, MIDLOTHIAN, TEXAS. Total assets $11.7 million. Closed December 13, 1989. Deposits of $11.2 million assumed by The First National Bank in Joshua, Joshua, Texas. FDIC outlay $4.125 million. (PR 239-89). ✓

202 FIRST ACADIANA BANK, EUNICE, LOUISIANA. Total assets $46.6 million. Closed December 14, 1989. Deposits of $44.5 million assumed by American Security Bank of Ville Platte, Ville Platte, Louisiana. FDIC outlay $7.148 million. (PR 240-89). ✓

203 CANYON LAKE BANK, CANYON LAKE, TEXAS. Total assets $32.6 million. Closed December 14, 1989. Deposits of $32.7 million assumed by Victoria Bank & Trust Company - West, New Braunfels, Texas. FDIC outlay $11.149 million. (PR 241-89).

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1989
AG BANKS ARE CIRCLED, WHOLE BANKS CHECKED.

204 NORTH SIDE STATE BANK, TULSA, OKLAHOMA. Total assets $21.6 million. Closed December 14, 1989. Deposits of $20.4 million assumed by Bank of Tulsa, Tulsa, Oklahoma. FDIC outlay $4.291 million. (PR 242-89).

205 FIRST AMERICAN BANK AND TRUST, NORTH PALM BEACH, FLORIDA. Total assets $1.1 billion. Closed December 15, 1989. Created a bridge bank (First American Bank and Trust, National Association) to assume deposits of $900 million. Initial FDIC outlay $150 million. (PR 243-89). On March 20, 1990, Barnett Bank of Palm Beach County, West Palm Beach, Florida won preliminary approval to assume the deposits and certain assets of the bridge bank. FDIC outlay $400 million. (PR 48-90).

206 FIRST CITY NATIONAL BANK AND TRUST COMPANY, NEW YORK, NEW YORK. Total assets $38.4 million. Closed December 20, 1989. Deposits of $36.1 million were paid off to insured depositors. FDIC outlay $35.011 million. (PR 244-89).

207 UNITED COMMUNITY BANK, WESTLAKE VILLAGE, CALIFORNIA. Total assets $27.9 million. Closed December 20, 1989. Deposits of $27.4 million assumed by Olympic National Bank, Los Angeles, California. FDIC outlay $2.952 million. (PR 245-89).

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CLOSED BANKS AND ASSISTANCE TRANSACTIONS FOR 1990

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

Jan. 4

1 (w) THE FIRST NATIONAL BANK OF SAN MARCOS, SAN MARCOS, TEXAS. Total assets $89.3 million. Deposits of $80.2 million in 13,500 accounts assumed by Victoria Bank & Trust Company - Central, Gonzales, Texas. FDIC outlay $21.965 million. (PR 2-90).

Jan. 11

2 (w) PLAZA DEL ORO NATIONAL BANK, HOUSTON, TEXAS. Total assets $17.0 million. Deposits of $16.5 million in 1,900 accounts assumed by National Commerce Bank, Houston, Texas. FDIC outlay $1.412 million. (PR 4-90).

Jan. 25

3 FARMERS STATE BANK OF SHIRO, TEXAS, SHIRO, TEXAS. Total assets $4.4 million. Deposits of $4.3 million in 500 accounts assumed by The First National Bank of Anderson, Texas, located in Anderson, Texas. FDIC outlay $3.328 million. (PR 10-90).

Jan. 26

4 (w) MONROE SAVINGS BANK, F.S.B, ROCHESTER, NEW YORK. Total assets $548.6 million. Deposits of $493.7 million in 88,000 accounts assumed by Manufacturers & Traders Trust Company, Buffalo, New York. FDIC outlay $26.563 million. (PR 11-90).

5 (w) BANCTEXAS DALLAS, N.A., DALLAS, TEXAS. Total assets $350 million. Deposits of $340 million in 35,100 accounts assumed by Hibernia National Bank in Texas, Pflugerville, Texas. FDIC outlay $49.499 million. (PR 12-90).

6 CREDITBANK, CUTLER RIDGE, FLORIDA. Total assets $76.0 million. Deposits of $74.6 million in 7,400 accounts assumed by Capital Bank, Miami, Florida. FDIC outlay $30.065 million. (PR 13-90).

7 (t) FIDELITY BANK, NATIONAL ASSOCIATION, SAN ANTONIO, TEXAS. Total assets $29.4 million. Deposits of $27.7 million in 2,700 accounts transferred to Texas Commerce Bank - San Antonio, Texas. FDIC outlay $20.430 million. (PR 14-90).

Feb. 1

8 TYLER NATIONAL BANK, TYLER, TEXAS. Total assets $24.5 million. Deposits of $25.5 million in 3,800 accounts assumed by NCNB Texas National Bank, Dallas, Texas. FDIC outlay $22.923 million. (PR 17-90).

Feb. 2

9 COMMERCE BANK OF TAMPA, TAMPA, FLORIDA. Total assets $22.8 million. Deposits of $22.7 million in 2,800 accounts assumed by Southern Exchange Bank, Tampa, Florida. FDIC outlay $15.379 million. (PR 18-90).

1990

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

10 CITIZENS NATIONAL BANK OF WALNUT RIDGE, WALNUT RIDGE, ARKANSAS. Total assets $41.3 million. Deposits of $38.4 million in 4,300 accounts assumed by The Lawrence County Bank, Portia, Arkansas. FDIC outlay $22.515 million. (PR 19-90).

Feb. 8

11 (t) THE FIRST NATIONAL BANK OF COLBERT, COLBERT, OKLAHOMA. Total assets $17.4 million. Deposits of $16.6 million in 3,300 accounts transferred to The Durant Bank & Trust Company, Durant, Oklahoma. FDIC outlay $9.570 million. (PR 20-90).

Feb. 15

12 HUFFMAN BANK, HUFFMAN, TEXAS. Total assets $20.7 million. Deposits of $20.1 million in 5,300 accounts assumed by Channelview Bank, Channelview, Texas. FDIC outlay $3.760 million. (PR 24-90).

13 (w) NORTHWAY NATIONAL BANK, DALLAS, TEXAS. Total assets $25.8 million. Deposits of $25.1 million in 1,800 accounts assumed by City National Bank of Carrollton, Carrollton, Texas. FDIC outlay $7.517 million. (PR 25-90).

14 GATEWAY NATIONAL BANK, PHOENIX, ARIZONA. Total assets $8.7 million. Deposits of $7.7 million in 700 accounts assumed by Citibank (Arizona), Phoenix, Arizona. FDIC outlay $3.937 million. (PR 26-90).

Feb. 22

15 THE FIRST STATE BANK OF REGENT, REGENT, NORTH DAKOTA. Total assets $9.9 million. Deposits of $9.7 million in 1,900 accounts assumed by First National Bank, Hettinger, North Dakota. FDIC outlay $6.994 million. (PR 29-90).

Feb. 23

16 THE RED RIVER BANK, RED RIVER, NEW MEXICO. Total assets $6.3 million. Deposits of $6.1 million in 900 accounts assumed by Centinel Bank of Taos, Taos, New Mexico. FDIC outlay $4.840 million. (PR 30-90).

17 THE BANK OF RUIDOSO, RUIDOSO, NEW MEXICO. Total assets $27.9 million. Deposits of $26.6 million in 5,100 accounts assumed by United New Mexico Bank at Alamogordo, Alamogordo, New Mexico. FDIC outlay $7.963 million. (PR 31-90).

Mar. 1

18 COMMUNITY STATE BANK OF ONALASKA, ONALASKA, TEXAS. Total assets $10.1 million. Deposits of $9.9 million in 2,200 accounts assumed by The Bank of Livingston, Livingston, Texas. FDIC outlay $6.788 million. (PR 33-90).

(more)

1990

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

19 SEARCH NATIONAL BANK, DALLAS, TEXAS. Total assets $22.8 million. Deposits of $23.0 million in 1,900 accounts assumed by Hibernia National Bank in Texas, Pflugerville, Texas. FDIC outlay $6.056 million. (PR 34-90).

20 FIRST NATIONAL BANK OF SANGER, SANGER, TEXAS. Total assets $21.2 million. Deposits of $20.6 million in 4,700 accounts assumed by The Gainesville National Bank, Gainesville, Texas. FDIC outlay $2.745 million. (PR 35-90).

Mar. 8:

21 FARMERS STATE BANK, SCHULENBURG, TEXAS. Total assets $35.5 million. Deposits of $35.4 million in 5,500 accounts assumed by First Bank, Navasota, Texas. FDIC outlay $6.136 million. (PR 37-90).

22 (w) UNIVERSITY NATIONAL BANK OF COLLEGE STATION, COLLEGE STATION, TEXAS. Total assets $40.7 million. Deposits of $42.5 million in 14,300 accounts assumed by First American Bank, Bryan, Texas. FDIC outlay $9.409 million. (PR 38-90).

23 CITIZENS NATIONAL BANK, DENTON, TEXAS. Total assets $18.6 million. Deposits of $18.3 million in 5,500 accounts assumed by Texas Bank, Weatherford, Texas. FDIC outlay $10.766 million. (PR 39-90).

Mar. 9:

24 (p) FIRST BANK NATIONAL ASSOCIATION, CLEVELAND, OHIO. Total assets $35.3 million. Deposits of $32.2 million in 7,000 accounts paid to insured depositors. FDIC outlay $23.880 million. (PR 40-90).

Mar. 15:

25 (w) BANK OF MEEKER, MEEKER, OKLAHOMA. Total assets $16.0 million. Deposits of 15.9 million in 2,500 accounts assumed by First State Bank, Harrah, Oklahoma. FDIC outlay $3.879 million. (PR 43-90).

26 LIBERTY CITY STATE BANK, LIBERTY CITY, TEXAS. Total assets $15.7 million. Deposits of $15.5 million in 2,800 accounts assumed by First National Bank of Hughes Springs, Hughes Springs, Texas. FDIC outlay $3.796 million. (PR 44-90).

27 INDEPENDENT NATIONAL BANK, PHOENIX, ARIZONA. Total assets $13.7 million. Deposits of $13.2 million in 1,200 accounts assumed by Citibank (Arizona), Phoenix, Arizona. FDIC outlay $10.098 million. (PR 45-90).

Mar. 22:

28 MIAMI NATIONAL BANK, MIAMI, FLORIDA. Total assets $47.5 million. Deposits of $45.8 million in 3,900 accounts assumed by Commercebank, National Association, Miami, Florida. FDIC outlay $7.775 million. (PR 50-90).

(more)

1990

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

29 (w) COMMUNITY BANK, NEW CANEY, TEXAS. Total assets $44.1 million. Deposits of $43.6 million in 9,900 accounts assumed by Channelview Bank, Channelview, Texas. FDIC outlay $5.864 million. (PR 51-90).

30 THE WALLER BANK, NATIONAL ASSOCIATION, WALLER, TEXAS. Total assets $13.8 million. Deposits of $13.8 million in 2,800 accounts assumed by First Bank Navasota, Navasota, Texas. FDIC outlay $2.352 million. (PR 52-90).

31 (w) AMERICAN BANK OF ARLINGTON, ARLINGTON, TEXAS. Total assets $28.5 million. Deposits of $27.5 million in 400 accounts assumed by Banc One, Texas, National Association. FDIC outlay $4.247 million. (PR 53-90).

32 (w) THE CENTRAL NATIONAL BANK OF SAN ANGELO, SAN ANGELO, TEXAS. Total assets $176.7 million. Deposits of $159.9 million in 21,700 accounts assumed by First National Bank at Lubbock, Lubbock, Texas. FDIC outlay $32.562 million. (PR 54-90).

Mar. 29:

33 ALVORD NATIONAL BANK, ALVORD, TEXAS. Total assets $8.1 million. Deposits of $8.0 million in 1,400 accounts assumed by The First National Bank of Bowie, Bowie, Texas. FDIC outlay $0.913 million. (PR 56-90).

34 FIRST NATIONAL BANK OF GARLAND, GARLAND, TEXAS. Total assets $10.1 million. Deposits of $9.8 million in 3,400 accounts assumed by State Bank of Texas, Dallas, Texas. FDIC outlay $3.582 million. (PR 57-90).

35 CROWN BANK, NATIONAL ASSOCIATION, SAN ANTONIO, TEXAS. Total assets $21.8 million. Deposits of $20.6 million in 1,000 accounts assumed by First City, Texas - San Antonio, National Association, San Antonio, Texas. FDIC outlay $11.516 million. (PR 58-90).

Mar. 30:

36 EVERMAN NATIONAL BANK OF FORT WORTH, FORT WORTH, TEXAS. Total assets $64.0 million. Deposits of $62.4 million in 13,900 accounts assumed by Banc One, Texas, National Association, Dallas, Texas. FDIC outlay $42.140 million. (PR 59-90).

37 IMPERIAL BANK, CORAL GABLES, FLORIDA. Total assets $21.6 million. Deposits of $21.8 million in 4,500 accounts assumed by Commercebank, National Association, Miami, Florida. FDIC outlay $5.732 million. (PR 60-90).

(more)

1990

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

Apr. 5:

38 FIRST BANK & TRUST COMPANY, CEDAR HILL, TEXAS. Total assets $13.2 million. Deposits of $12.8 million in 4,200 accounts assumed by NCNB Texas National Bank, Dallas, Texas. FDIC outlay $6.849 million. (PR 63-90).

39 CHAMPIONS POINT NATIONAL BANK, HOUSTON, TEXAS. Total assets $20.5 million. Deposits of $19.4 million in 3,000 accounts assumed by Northwest Bank, Houston, Texas. FDIC outlay $4.413 million. (PR 64-90).

Apr. 12:

40 (w) THE BAZINE STATE BANK, BAZINE, KANSAS. Total assets $17.5 million. Deposits of $16.7 million in 2,600 accounts assumed by Farmers Bank & Trust, National Association, Great Bend, Kansas. FDIC outlay $2.811 million. (PR 66-90).

Apr. 18:

41 THE SEAMEN'S BANK FOR SAVINGS, FSB, NEW YORK, NEW YORK. Total assets $2.4 billion. Deposits of $2.1 billion in 169,800 accounts assumed by The Chase Manhattan Bank (National Association), New York, New York. FDIC outlay $2,540.000 million. (PR 67-90).

Apr. 19:

42 (w) CORINTH DEPOSIT NATIONAL BANK, CORINTH, KENTUCKY. Total assets $8.0 million. Deposits of $7.9 million in 1,400 accounts assumed by The National Bank of Corinth, Corinth, Kentucky. FDIC outlay $0.418 million. (PR 68-90).

43 (w) ACADIANA NATIONAL BANK, LAFAYETTE, LOUISIANA. Total assets $28.6 million. Deposits of $24.4 million in 2,700 accounts assumed by First National Bank of St. Landry Parish, Opelousas, Louisiana. FDIC outlay $1.102 million. (PR 69-90).

44 (w) FIRST STATE BANK OF CRANDALL, CRANDALL, TEXAS. Total assets $16.1 million. Deposits of $15.6 million in 3,000 accounts assumed by The American National Bank of Terrell, Terrell, Texas. FDIC outlay $3.237 million. (PR 70-90).

45 CHAS. SCHREINER BANK, KERRVILLE, TEXAS. Total assets $233.4 million. Deposits of $233.7 million in 17,900 accounts assumed by NCNB Texas National Bank, Dallas, Texas. FDIC outlay $77.313 million. (PR 71-90).

46 COVE STATE BANK, COPPERAS, TEXAS. Total $37.8 million. Deposits of $36.5 million in 9,700 accounts assumed by The National Bank of Gatesville, Gatesville, Texas. FDIC outlay $6.700 million. (PR 72-90).

(more)

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

47 SECURITY NATIONAL BANK OF ELGIN, ELGIN, TEXAS. Total assets $11.1 million. Deposits of $10.8 million in 1,800 accounts assumed by Elgin Bank of Texas, Elgin, Texas. FDIC outlay $7.969 million. (PR 73-90).

Apr. 20:

48 (w) BERGEN PARK NATIONAL BANK, EVERGREEN, COLORADO. Total assets $5.1 million. Deposits of $5.1 million in 1,000 accounts assumed by Nederland National Bank, Nederland, Colorado. FDIC outlay $0.768 million. (PR 74-90).

Apr. 25:

49 TRINITY NATIONAL BANK OF DALLAS, DALLAS, TEXAS. Total assets $38.5 million. Deposits of $38.3 million in 7,500 accounts assumed by Bank One Texas, National Association, Dallas. FDIC outlay $5.980 million. (PR 75-90).

Apr. 26:

50 SIGNATURE BANK, NATIONAL ASSOCIATION, DALLAS, TEXAS. Total assets $27.6 million. Deposits of $27.5 million in 2,200 accounts assumed by Compass Bank - Plano, Plano, Texas. FDIC outlay $3.728 million. (PR 78-90).

51 CENTRAL ARIZONA BANK, CHANDLER, ARIZONA. Total assets $6.7 million. Deposits of $6.9 million in 1,200 accounts assumed by Security Bank Arizona, Phoenix, Arizona. FDIC outlay $1.492 million. (PR 79-90).

52 GUARDIAN BANK, SCOTTSDALE, ARIZONA. Total assets $27.1 million. Deposits of $26.8 million in 1,200 accounts assumed by Citibank (Arizona), Phoenix, Arizona. FDIC outlay $19.593 million. (PR 80-90).

May 3:

53 FIRST NATIONAL BANK, NORTHEAST, AUSTIN, TEXAS. Total assets $19.8 million. Deposits of $19.7 million in 3,600 accounts assumed by Hibernia National Bank in Texas, Pflugerville, Texas. FDIC outlay $15.281 million. (PR 82-90).

54 (w) RICHARDSON NATIONAL BANK, RICHARDSON, TEXAS. Total assets $64.3 million. Deposits of $62.2 million in 12,500 accounts assumed by Comerica Bank - Texas, Dallas, Texas. FDIC outlay $15.450 million. (PR 83-90).

May 4:

55 TUCKER STATE BANK OF JACKSONVILLE, JACKSONVILLE, FLORIDA. Total assets $47.2 million. Deposits of $46.4 million in 3,600 accounts assumed by Barnett Bank of Jacksonville, National Association, Jacksonville, Florida. FDIC outlay $20.790 million. (PR 84-90).

(more)

1990

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

May 9:

56 CHANCERY NATIONAL BANK, DENVER, COLORADO. Total assets $17.4 million. Deposits of $16.7 million in 1,800 accounts assumed by The Women's Bank, N.A., Denver, Colorado. FDIC outlay $3.602 million. (PR 86-90).

May 10:

57 COMMONWEALTH NATIONAL BANK OF DALLAS, DALLAS, TEXAS. Total assets $50.6 million. Deposits of $49.2 million in 8,300 accounts assumed by Comerica Bank - Texas, Dallas, Texas. FDIC outlay $7.324 million. (PR 87-90).

58 FIRST NATIONAL BANK OF DESOTO, DESOTO, TEXAS. Total assets $30.2 million. Deposits of $29.3 million in 6,300 accounts assumed by Hibernia National Bank in Texas, Pflugerville, Texas. FDIC outlay $7.144 million. (PR 88-90).

59 FIRST NATIONAL BANK OF GRAND SALINE, GRAND SALINE, TEXAS. Total assets $30.5 million. Deposits of $29.9 million in 4,800 accounts assumed by Texas National Bank, Longview, Texas. FDIC outlay $8.000 million. (PR 89-90).

60 DOMINION NATIONAL BANK OF DENVER, DENVER, COLORADO. Total assets $16.2 million. Deposits of $15.3 million in 1,200 accounts assumed by Omnibank Southeast, Denver, Colorado. FDIC outlay $2.170 million. (PR 90-90).

May 17:

61 FIRST-TAYLOR NATIONAL BANK, TAYLOR, TEXAS. Total assets $80.7 million. Deposits of $81.9 million in 11,200 accounts assumed by Citizens State Bank, Giddings, Texas. FDIC outlay $16.408 million. (PR 91-90).

62 THE FIRST NATIONAL BANK OF GEORGETOWN, GEORGETOWN, TEXAS. Total assets $81.0 million. Deposits of $78.8 million in 10,200 accounts assumed by NCNB Texas National Bank, Dallas, Texas. FDIC outlay $63.327 million. (PR 92-90).

May 18:

63 (t) MERCHANTSBANK OF BOSTON, A CO-OPERATIVE BANK, BOSTON, MASSACHUSETTS. Total assets $356.6 million. Deposits of $348.5 million in 45,300 accounts transferred to The First National Bank of Boston, Boston, Massachusetts. FDIC outlay $331.433 million. (PR 93-90).

May 24:

64 (w) FARMERS STATE BANK OF BROOKSHIRE, BROOKSHIRE, TEXAS. Total assets $21.2 million. Deposits of $20.6 million in 2,800 accounts assumed by First Bank, Navasota, Texas. FDIC outlay $1.691 million. (PR 97-90).

(more)

1990

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

65 (w) GENTRY COUNTY BANK, ALBANY, MISSOURI. Total assets $45.4 million. Deposits of $46.8 million in 9,000 accounts assumed by Citizens National Bank, Maryville, Missouri. FDIC outlay $6.427 million. (PR 98-90).

66 MIDWAY NATIONAL BANK, DALLAS, TEXAS. Total assets $18.3 million. Deposits of $17.9 million in 2,300 accounts assumed by Comerica Bank - Texas, Dallas, Texas. FDIC outlay $13.311 million. (PR 99-90).

67 MEMORIAL BANK, NATIONAL ASSOCIATION, HOUSTON, TEXAS. Total assets $90.9 million. Deposits of $86.6 million in 4,400 accounts assumed by Compass Bank Houston, Houston, Texas. FDIC outlay $23.301 million. (PR 100-90).

May 31:

68 THE HUNTSVILLE NATIONAL BANK, HUNTSVILLE, TEXAS. Total assets $114.5 million. Deposits of $111.6 million in 14,300 accounts assumed by NCNB Texas National Bank, Dallas, Texas. FDIC outlay $20.141 million. (PR 102-90).

69 (w) ROCKY MOUNTAIN NATIONAL BANK, DENVER, COLORADO. Total assets $9.4 million. Deposits of $8.9 million in 1,700 accounts assumed by Colonial National Bank, Denver, Colorado. FDIC outlay $0.574 million. (PR 103-90).

70 THE WILSHIRE BANK, NATIONAL ASSOCIATION, LOS ANGELES, CALIFORNIA. Total assets $25.6 million. Deposits of $23.8 million in 1,200 accounts assumed by Mid City Bank, National Association, Los Angeles, California. FDIC outlay $1.054 million. (PR 104-90).

Jun. 1:

71 THE HOME NATIONAL BANK OF MILFORD, MILFORD, MASSACHUSETTS. Total assets $509.1 million. Deposits of $452.5 million in 46,000 accounts assumed by Bay Bank Middlesex, Burlington, Massachusetts. FDIC outlay $361.354 million. (PR 105-90).

72-80 Nine of the 12 bank subsidiaries of National Bankshares Corporation of Texas, San Antonio, Texas. Assets of the nine banks totaled $1.6 billion. Deposits of $1.5 billion in 291,500 accounts assumed by NCNB Texas National Bank, Dallas, Texas. FDIC outlay $581.199 million. (PR 106-90).

(see next page for a list of the nine NBC banks)

(more)

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

The nine NBC subsidiary banks are:

		Assets (millions)	Deposits (millions)
72)	NBC Bank - Austin, N. A.	$ 34.7	$ 40.6
73)	NBC Bank - Boerne, N.A.	55.5	54.9
74)	NBC Bank - South Texas, N.A., Corpus Christi	111.8	114.5
75)	NBC Bank - Houston, N.A.	190.8	279.7
76)	NBC Bank - Kerrville, N.A.	29.8	32.7
77)	NBC Bank - Rio Grande Valley, N.A., Mission	145.3	133.7
78)	NBC Bank - San Antonio, N.A.	887.5	789.0
79)	NBC Bank - Seguin, N.A.	67.1	65.3
80)	NBC Bank - Uvalde, N.A.	37.9	36.7
	Totals	$1,560.4	$1,546.9

Jun. 7:

81 CLIFTON NATIONAL BANK, CLIFTON, TEXAS. Total assets $13.3 million. Deposits of $12.9 million in 1,800 accounts assumed by First National Bank in Valley Mills, Valley Mills, Texas. FDIC outlay $2.097 million. (PR 112-90).

82 (w) HULEN NATIONAL BANK, FORT WORTH, TEXAS. Total assets $12.2 million. Deposits of $12.1 million in 2,300 accounts assumed by First National Bank in Decatur, Decatur, Texas. FDIC outlay $0.092 million. (PR 107-90).

83 TEXAS NATIONAL BANK, EL PASO, TEXAS. Total assets $123.9 million. Deposits of $119.5 million in 12,000 accounts assumed by Texas Commerce Bank - El Paso, N.A., El Paso, Texas. FDIC outlay $72.081 million. (PR 109-90).

84 RICHMARK BANK, HOUSTON, TEXAS. Total assets $42.9 million. Deposits of $41.5 million in 4,800 accounts assumed by Hibernia National Bank in Texas, Pflugerville, Texas. FDIC outlay $13.503 million. (PR 110-90).

Jun. 8:

85 THE MERCHANT BANK OF CALIFORNIA, BEVERLY HILLS, CALIFORNIA. Total assets $51.3 million. Deposits of $49.7 million in 1,000 accounts assumed by Western Bank, Los Angeles, California. FDIC outlay $48.471 million. (PR 111-90).

Jun. 14:

86 ALLIANCE BANK, N.A., AUSTIN, TEXAS. Total assets $84.0 million. Deposits of $82.6 million in 5,500 accounts assumed by Hibernia National Bank in Texas, Pflugerville, Texas. FDIC outlay $19.034 million. (PR 114-90).

(more)

1990

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

87 (w) THE WIMBERLY BANK, WIMBERLY, TEXAS. Total assets $24.4 million. Deposits of $24.7 million in 4,600 accounts assumed by Ozona National Bank, Ozona, Texas. FDIC outlay $3.632 million. (PR 115-90).

88 WILLOW BEND NATIONAL BANK, PLANO, TEXAS. Total assets $70.1 million. Deposits of $72.9 million in 6,100 accounts assumed by Compass Bank - Plano, Plano, Texas. FDIC outlay $28.9 million. (PR 116-90).

89 EXCHANGE NATIONAL BANK OF DEL CITY, DEL CITY, OKLAHOMA. Total assets $44.5 million. Deposits of $39.8 million in 6,800 accounts assumed by The First National Bank of Midwest City, Oklahoma. FDIC outlay $7.682 million. (PR 117-90).

90 NATIONAL CITY BANK OF DENVER, DENVER, COLORADO. Total assets $70.8 million. Deposits of $67.8 million in 10,200 accounts assumed by OMNIbank Southeast - Denver, Colorado. FDIC outlay $22.938 million. (PR 118-90).

Jun. 15:
91 BANK M, MIAMI, FLORIDA. Total assets $12.0 million. Deposits of $11.9 million in 600 accounts assumed by Bank of North America, Miami, Florida. FDIC outlay $9.498 million. (PR 119-90).

Jun. 18:
92 FARMERS AND MERCHANTS BANK, BUCKEYE, ARIZONA. Total assets $22.2 million. Deposits of $20.6 million in 4,400 accounts assumed by The Stockmen's Bank, Kingman, Arizona. FDIC outlay $5.540 million. (PR 122-90).

Jun. 21:
93 (w) BANK OF EAST TEXAS, TYLER, TEXAS. Total assets $11.5 million. Deposits of $11.6 million in 2,200 accounts assumed by Chandler State Bank, Chandler, Texas. FDIC outlay $2.941 million. (PR 126-90).

94 CENTRE NATIONAL BANK-FARMERS BRANCH, FARMERS BRANCH, TEXAS. Total assets $45.3 million. Deposits of $43.4 million in 4,600 accounts assumed by Hibernia National Bank in Texas, Pflugerville, Texas. FDIC outlay $11.051 million. (PR 127-90).

95 LAKELAND STATE BANK, AUSTIN, TEXAS. Total assets $14.5 million. Deposits of $13.9 million in 2,100 accounts assumed by Hill Country Bank, Leander, Texas. FDIC outlay $3.499 million. (PR 128-90).

96 (w) PEOPLES NATIONAL BANK, CALDWELL, TEXAS. Total assets $10.2 million. Deposits of $10.5 million in 1,700 accounts assumed by Citizens State Bank, Somerville, Texas. FDIC outlay $2.638 million. (PR 129-90).

(more)

1990

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

Jun. 28:

97 (w) BACLIFF BANK, NATIONAL ASSOCIATION, BACLIFF, TEXAS. Total assets $8.2 million. Deposits of $7.8 million in 3,700 accounts assumed by The Citizens State Bank of Dickinson, Dickinson, Texas. FDIC outlay $1.519 million. (PR 131-90).

98 (w) VALLEY VIEW NATIONAL BANK, VALLEY VIEW, TEXAS. Total assets $13.4 million. Deposits of $13.0 million in 2,200 accounts assumed by Gainesville National Bank, Gainesville, Texas. FDIC outlay $1.664 million. (PR 132-90).

99 AMERICAN NATIONAL BANK, ELK CITY, OKLAHOMA. Total assets $15.1 million. Deposits of $14.7 million in 1,900 accounts assumed by First Community Bank, Binger, Oklahoma. FDIC outlay $2.328 million. (PR 133-90).

100 (w) SOUTHWEST NATIONAL BANK, AUSTIN, TEXAS. Total assets $33.8 million. Deposits of $33.5 million in 8,100 accounts assumed by Texas Bank, Odessa, Texas. FDIC outlay $6.730 million. (PR 134-90).

101 (w) BROOKWOOD NATIONAL BANK, OKLAHOMA CITY, OKLAHOMA. Total assets $27.3 million. Deposits of $26.8 million in 3,700 accounts assumed by The Liberty National Bank and Trust Company of Oklahoma City, Oklahoma City, Oklahoma. FDIC outlay $4.053 million. (PR 135-90).

Jun. 29:

102 ELIOT SAVINGS BANK, BOSTON, MASSACHUSETTS. Total assets $493.3 million. Deposits of $469.8 million in 13,400 accounts assumed by South Boston Savings Bank, Boston, Massachusetts. FDIC outlay $453.3 million. (PR 136-90).

103 (w) MONTGOMERY NATIONAL BANK, MONTGOMERY, NEW JERSEY. Total assets $95.8 million. Deposits of $92.3 million in 17,500 accounts assumed by Amboy National Bank, Montgomery Township, New Jersey. FDIC outlay $0.136 million. (PR 137-90).

Jul. 6:

104 (t) CAPITAL NATIONAL BANK, BRONX, NEW YORK. Total assets $138.3 million. Deposits of $137.1 million in 35,000 accounts transferred to New York Capital Bank, N.A., New York, New York. FDIC outlay $31.292 million. (PR 139-90 & 141-90).

105 MILFORD SAVINGS BANK, MILFORD, MASSACHUSETTS. Total assets $330.0 million. Deposits of $300.0 million in 53,000 accounts assumed by Peoples Savings Bank, Worcester, Massachusetts. FDIC outlay $287.000 million. (PR 140-90).

(more)

1990

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

Jul. 12:

106 AMERICAN NATIONAL BANK OF GREENVILLE, GREENVILLE, TEXAS. Total assets $29.1 million. Deposits of $28.1 million in 3,100 accounts assumed by Sulphur Springs State Bank, Sulphur Springs, Texas. FDIC outlay $20.273 million. (PR 144-90).

107 IREDELL STATE BANK, IREDELL, TEXAS. Total assets $10.4 million. Deposits of $10.1 million in 1,600 accounts assumed by First Security State Bank - Cranfills Gap, Cranfills Gap, Texas. (FDIC outlay $2.551 million. (PR 145-90).

Jul. 13:

108 (w) PERMANENT SAVINGS BANK, NIAGARA FALLS, NEW YORK. Total assets $359.4 million. Deposits of $347.2 million in 36,000 accounts assumed by Key Bank of Western New York, National Association, Buffalo, New York. FDIC outlay $0.247 million. (PR 146-90).

Jul. 26:

109 (w) THE BANK OF WILSON, WILSON, OKLAHOMA. Total assets $13.6 million. Deposits of $13.8 million in 2,800 accounts assumed by American National Bank, Ardmore, Oklahoma. FDIC outlay $2.751 million. (PR 150-90).

110 (w) BANK OF ODESSA, ODESSA, TEXAS. Total assets $12.3 million. Deposits of $12.3 million in 2,700 accounts assumed by Western National Bank, Odessa, Texas. FDIC outlay $3.267 million. (PR 151-90).

111 CONTINENTAL BANK, DALLAS, TEXAS. Total assets $143.1 million. Deposits of $139.9 million in 20,800 accounts assumed by Comerica Bank - Texas, Dallas, Texas. FDIC outlay $31.662 million. (PR 152-90).

112 FIRST NATIONAL BANK, PURCELL, OKLAHOMA. Total assets $10.7 million. Deposits of $10.7 million in 1,900 accounts assumed by McClain County National Bank, Purcell, Oklahoma. FDIC outlay $1.660 million. (PR 153-90).

Jul. 27:

113 THE U.S. SAVINGS BANK OF AMERICA, SEABROOK, NEW HAMPSHIRE. Total assets $12.9 million. Deposits of $12.3 million in 2,100 accounts assumed by The Family Savings Bank of New Hampshire, Seabrook, New Hampshire. FDIC outlay $9.281 million. (PR 154-90).

Aug. 2:

114 UNITED BANK OF WACO, NATIONAL ASSOCIATION, WACO, TEXAS. Total assets $292.9 million. Deposits of $282.4 million in 44,400 accounts assumed by Bank One Texas, National Association, Dallas, Texas. FDIC outlay $217.822 million. (PR 157-90)

(more)

1990

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

115 AMERICAN BANK & TRUST COMPANY, BATON ROUGE, LOUISIANA. Total assets $395.7 million. Deposits of $370.6 million in 60,500 accounts assumed by Hancock Bank of Louisiana, Baton Rouge, Louisiana. FDIC outlay $104.740 million. (PR 158-90).

Aug. 9:

116 FIRST NATIONAL BANK OF CORPUS CHRISTI, CORPUS CHRISTI, TEXAS. Total assets $127.9 million. Deposits of $120.8 million in 19,300 accounts assumed by First City, Texas - Corpus Christi, Corpus Christi, Texas. FDIC outlay $31.938 million. (PR 159-90).

Aug. 10:

117 NATIONAL BANK OF WASHINGTON, WASHINGTON, D.C. Total assets $1.6 billion. Deposits of $1.0 billion in 91,500 accounts assumed by The Riggs National Bank of Washington, D.C., Washington, D.C. FDIC outlay $404.238 million. (PR 160-90).

118 (t) FIRST PACIFIC BANK, BEVERLY HILLS, CALIFORNIA. Total assets $117.6 million. Deposits of $109.9 million in 4,500 accounts transferred to Commercial Center Bank, Santa Ana, California. FDIC outlay $72.343 million. (PR 161-90).

Aug. 16:

119 (w) CAPITOL BANK AND TRUST, OKLAHOMA CITY, OKLAHOMA. Total assets $32.6 million. Deposits of $31.6 million in 5,500 accounts assumed by First Fidelity Bank, National Association, Oklahoma City, Oklahoma. FDIC outlay $1.119 million. (PR 164-90).

120 CITY NATIONAL BANK, HOUSTON, TEXAS. Total assets $46.6 million. Deposits of $46.3 million in 5,800 accounts assumed by Charter National Bank - Colonial, Harris County, Texas. FDIC outlay $36.567 million. (PR 165-90).

121 CHERRY CREEK NATIONAL BANK, DENVER, COLORADO. Total assets $109.3 million. Deposits of $104.3 million in 12,600 accounts assumed by The Bank of Cherry Creek, National Association, Denver, Colorado. FDIC outlay $20.941 million. (PR 166-90).

Aug. 30

122 (w) AMERICAN BANK OF COMMERCE, NATIONAL ASSOCIATION, DEL RIO, TEXAS. Total assets $18.3 million. Deposits of $17.7 million in 4,100 accounts assumed by Del Rio National Bank, Del Rio, Texas. FDIC outlay $3.042 million. (PR 169-90).

123 SECURITY NATIONAL BANK, AUSTIN, TEXAS. Total assets $16.6 million. Deposit of $15.8 million in 3,000 accounts assumed by Liberty National Bank, Austin, Texas. FDIC outlay $6.331 million. (PR 171-90).

(more)

1990

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

124 FIRST BANK OF PLANO, PLANO, TEXAS. Total assets $10.7 million. Deposits of $10.9 million in 2,100 accounts assumed by Compass Bank - Plano, Plano, Texas. FDIC outlay $2.546 million. (PR 170-90).

125 THE FIRST NATIONAL BANK OF LEVELLAND, LEVELLAND, TEXAS. Total assets $67.1 million. Deposits of $66.7 million in 8,400 accounts assumed by Citizens Bank, Kilgore, Texas. FDIC outlay $9.158 million. (PR 172-90).

126 (t) BAY CITY BANK & TRUST CO., BAY CITY, TEXAS. Total assets $75.9 million. Deposits of $72.4 million in 8,000 accounts transferred to First State Bank and Trust Company, Port Lavaca, Texas. FDIC outlay $51.561 million. (PR 174-90).

127 (t) CITIZENS NATIONAL BANK, EL CAMPO, TEXAS. Total assets $45.9 million. Deposits of $44.5 million in 5,000 accounts transferred to First Bank, Edna, Texas. FDIC outlay $28.834 million. (PR 175-90).

128 CHISHOLM NATIONAL BANK, PLANO, TEXAS. Total assets $23.1 million. Deposits of $22.2 million in 3,700 accounts assumed by Comerica Bank - Texas, Dallas, Texas. FDIC outlay $18.482 million. (PR 173-90).

Sep. 6:

129 NORTHSIDE BANK, SAN ANTONIO, TEXAS. Total assets $57.1 million. Deposits of $55.0 million in 8,400 accounts assumed by Bank One, Texas, National Association, Dallas, Texas. FDIC outlay $33.971 million. (PR 176-90).

Sep. 12:

130 (a) THE PAWNEE NATIONAL BANK, PAWNEE, OKLAHOMA. Total assets: $14.2 million. Assistance of $2.5 million granted under Section 13(c) to Pawnee Holding Company, Inc., Pawnee, Oklahoma. (PR 178-90).

Sep. 13:

131 FIRST NATIONAL BANK OF KENNEDALE, KENNEDALE, TEXAS. Total assets $27.7 million. Deposits of $27.2 million in 4,600 accounts assumed by Central Bank and Trust, Fort Worth, Texas. FDIC outlay $21.418 million. (PR 179-90).

132 (w) CITIZENS BANK, CLARKSVILLE, TEXAS. Total assets $16.5 million. Deposits of $16.2 million in 2,600 accounts assumed by State Bank of De Kalb, De Kalb, Texas. FDIC outlay $2.195 million. (PR 180-90).

133 WESTERN NATIONAL BANK OF TEXAS, FORT WORTH, TEXAS. Total assets $35.5 million. Deposits of $35.5 million in 4,900 accounts assumed by Central Bank and Trust, Fort Worth, Texas. FDIC outlay $8.776 million. (PR 181-90).

(more)

1990

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

134 (w) FIRST NATIONAL BANK OF CROSBY, CROSBY, NORTH DAKOTA. Total assets $12.5 million. Deposits of $12.2 million in 2,800 accounts assumed by First National Bank & Trust Co., Williston, North Dakota. FDIC outlay $0.223 million. (PR 182-90).

Sep. 14:

135 (p) INGRAM STATE BANK, INGRAM, TEXAS. Total assets $23.4 million. Deposits of $22.5 million in 2,100 accounts paid off to insured depositors. FDIC outlay $22.440 million. (PR 183-90)

136 (p) CITIZENS NATIONAL BANK, KERRVILLE, TEXAS. Total assets $12.0 million. Deposits of $12.0 million in 2,300 accounts paid off to insured depositors. FDIC outlay $12.025 million. (PR 184-90).

Sep. 20:

137 CITY NATIONAL BANK OF IRVING, IRVING, TEXAS. Total assets $35.8 million. Deposits of $34.9 million in 6,000 accounts assumed by Comerica Bank - Texas, Dallas, Texas. FDIC outlay $8.668 million. (PR 187-90).

138 FIRST STATE BANK OF RISING STAR, RISING STAR, TEXAS. Total assets $14.3 million. Deposits of $13.7 million in 3,200 accounts assumed by The Peoples State Bank, Clyde, Texas. FDIC outlay $9.181 million. (PR 188-90).

139 (p) FIRST COMANCHE BANK, COMANCHE, TEXAS. Total assets $31.9 million. Deposits of $32.4 million in 3,600 accounts paid off to insured depositors. FDIC outlay $32.251 million. (PR 189-90).

Sep. 27:

140 FORT WORTH STATE BANK, FORT WORTH, TEXAS. Total assets $18.8 million. Deposits of $18.9 million in 2,800 accounts assumed by Fidelity Bank, Fort Worth, Texas. FDIC outlay $18.453 million. (PR 196-90).

141 GREAT WESTERN NATIONAL BANK, LEWISVILLE, TEXAS. Total assets $13.7 million. Deposits of $12.9 million in 1,500 accounts assumed by First Western National Bank, Carrollton, Texas. FDIC outlay $3.723 million. (PR 197-90).

Oct. 4:

142 (w) WOODWAY BANK AND TRUST, NATIONAL ASSOCIATION, HOUSTON, TEXAS. Total assets $37.8 million. Deposits of $36.1 million in 3,100 accounts assumed by National Commerce Bank, Houston, Texas. FDIC outlay $2.777 million. (PR 199-90).

(more)

(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

Oct. 5:

143 (t) MOUNTAIN RIDGE STATE BANK, WEST ORANGE, NEW JERSEY. Total assets $52.3 million. Deposits of $51.0 million in 10,000 accounts transferred to Mountain Ridge Bank, West Orange, New Jersey. FDIC outlay $40.187 million. (PR 201-90).

144 THE PEOPLES BANK & TRUST COMPANY, NATCHITOCHES, LOUISIANA. Total assets $115.1 million. Deposits of $114.1 million in 15,700 accounts assumed by three Louisiana banks—Heritage Bank of Natchitoches, American Security Bank of Ville Platte, and Tri-State Bank and Trust, Haughton. FDIC outlay $40.000 million. (PR 202-90).

Oct. 11:

145 UNITED PEOPLES BANK, LAMPASAS, TEXAS. Total assets $30.3 million. Deposits of $29.8 million in 4,600 accounts assumed by First National Bank of Lampasas, Lampasas, Texas. FDIC outlay $21.417 million. (PR 204-90).

Oct. 19:

146 BROOKLYN SAVINGS BANK, DANIELSON, CONNECTICUT. Total assets $118.7 million. Deposits of $91.3 million in 19,500 accounts assumed by Willimantic Savings Institute, Willimantic, Connecticut. FDIC outlay $16.763 million. (PR 205-90).

147 (t) FIRST AMERICAN BANK FOR SAVINGS, BOSTON, MASSACHUSETTS. Total assets $528.0 million. Deposits of $470.0 million in 70,000 accounts transferred to The Boston Five Cents Savings Bank, FSB, Boston, Massachusetts. FDIC outlay $450.000 million. (PR 206-90).

148 METROPOLITAN NATIONAL BANK, McALLEN, TEXAS. Total assets $17.9 million. Deposits of $14.6 million in 3,800 accounts assumed by Raymondville State Bank, Raymondville, Texas. FDIC outlay $3.475 million. (PR 207-90).

Oct. 25:

149 FIRST NATIONAL BANK OF JACKSON, JACKSON, TENNESSEE. Total assets $75.7 million. Deposits of $72.6 million in 6,300 accounts assumed by First Tennessee Bank, National Association, Memphis, Tennessee. FDIC outlay $67.067 million. (PR 209-90).

Oct. 26:

150 THE FARMERS & MERCHANTS BANK OF SHEYENNE, SHEYENNE, NORTH DAKOTA. Total assets $3.1 million. Deposits of $3.0 million in 900 accounts assumed by The Ramsey National Bank and Trust Company, Devils Lake, North Dakota. FDIC outlay $0.909 million. (PR 210-90).

Nov. 1:

151 (p) TRINITY NATIONAL BANK, BENBROOK, TEXAS. Total assets $25.2 million. Deposits of $24.9 million in 6,500 accounts paid off to insured depositors. FDIC outlay $21.801 million. (PR 213-90 & 214-90).

(more)

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(w) Whole bank P&A; (t) Insured deposit transfer; (p) Payoff;
(a) Assistance transaction; (b) Bridge bank

Nov. 2:
152 (t) LONE STAR NATIONAL BANK, DALLAS, TEXAS. Total assets $44.1 million. Deposits of $43.1 million in 4,100 accounts transferred to Comerica Bank - Texas, Dallas, Texas. FDIC outlay $37.397 million. (PR 216-90).

Nov. 9:
153 (p) FREEDOM NATIONAL BANK OF NEW YORK, NEW YORK, NEW YORK. Total assets $101.1 million. Deposits of $90.8 million in 22,000 accounts paid off to insured depositors. (PR 219-90).

Nov. 15:
154 (w) WESTERN BANK, DUNCANVILLE, TEXAS. Total assets $42.3 million. Deposits of $41.4 million in 6,100 accounts assumed by Western Bank & Trust, Duncanville, Texas. FDIC outlay $5.748 million. (PR 220-90).

Nov. 29:
155 FARMERS STATE BANK OF MADISONVILLE, MADISONVILLE, TEXAS. Total assets $35.2 million. Deposits of $34.7 million in 4,000 accounts assumed by First Bank, Katy, Texas. FDIC outlay $5.300 million. (PR 222-90).

156 BANK OF ARLINGTON, ARLINGTON, TEXAS. Total assets $67.1 million. Deposits of $61.7 million in 12,600 accounts assumed by Bank One, Texas, National Association. FDIC outlay $16.997 million. (PR 223-90).

Nov. 30:
157 (w) BOUNDRY WATERS STATE BANK, ELY, MINNESOTA. Total assets $13.6 million. Deposits of $13.4 million in 3,100 accounts assumed by Stearns County National Bank, Albany, Minnesota. FDIC outlay $1.697 million. (PR 227-90).

Dec. 6:
158 (w) DOUGLAS COUNTY NATIONAL BANK, PARKER, COLORADO. Total assets $4.5 million. Deposits of $4.4 million in 2,000 accounts assumed by City Center National Bank, Aurora, Colorado. FDIC outlay $0.031 million. (PR 229-90).

Dec. 7:
159 HEIGHTS BANK, HARKER HEIGHTS, TEXAS. Total assets $30.3 million. Deposits of $26.3 million in 7,400 accounts assumed by Heights State Bank, Harker Heights, Texas. FDIC outlay $10.334 million. (PR 230-90).

160 (t) FIRST NATIONAL BANK OF ROWLETT, ROWLETT, TEXAS. Total assets $22.6 million. Deposits of $22.1 million in 3,900 accounts transferred to U.S. Trust Company of Texas, National Association, Rowlett, Texas. FDIC outlay $15.458 million. (PR 231-90).

(more)

FDIC
FEDERAL DEPOSIT INSURANCE CORPORATION

NEWS RELEASE

FOR IMMEDIATE RELEASE PR-233-90 (12-12-90)

FDIC TRANSFERS DEPOSITS OF NEW ENGLAND ALLBANK FOR SAVINGS, GARDNER, MASSACHUSETTS

The Board of Directors of the Federal Deposit Insurance Corporation has approved the transfer of deposits of New England ALLBANK for Savings, Gardner, Massachusetts, to Worcester County Institution for Savings, Worcester, Massachusetts. The failed bank's four offices will reopen on Thursday, December 13, 1990, as branches of Worcester County Institution for Savings.

New England ALLBANK for Savings, with total assets of about $177.0 million, was closed on Wednesday, December 12, 1990, by Thomas J. Curry, Commissioner of Banks, and the FDIC was named liquidating agent.

The Board of Directors decided to arrange a deposit transfer because no acceptable purchase and assumption bids were received.

At the time the bank closed, its deposits totaled about $171.0 million in 37,000 deposit accounts, including approximately $9.0 million in 225 accounts that exceeded the federal insurance limit of $100,000. The Mutual Savings Central Fund, Inc., a corporation established to provide financial assistance and deposit insurance to Massachusetts' savings banks through its Deposit Insurance Fund, provided deposit insurance for the 225 accounts. These excess funds have been transferred to Worcester County Institution for Savings and, as currently structured, will be considered uninsured deposits by the FDIC.

All deposits in the failed bank will be become deposits of the acquiring bank and will be available to their owners beginning Thursday, December 13. In the interim, checks drawn on the failed bank's accounts will continue to be honored.

(more)

Depositors in the failed bank can automatically continue to conduct their banking transactions with the acquiring bank. However, they should visit the acquiring bank during the next several weeks to discuss continuation of their banking relationship.

Nondepositor creditors of New England ALLBANK for Savings will share proportionately with the FDIC in the proceeds realized from liquidation of the failed bank's assets.

Administration of the transferred insured deposits will be funded by an equivalent cash payment from the FDIC and the Mutual Savings Central Fund. The acquiring bank is paying the FDIC a premium of $160,000 for the right to receive the transferred deposits. It will purchase certain assets of the failed bank and will have options to purchase other assets.

To facilitate the transaction, the FDIC advanced about $162.0 million to the acquiring bank and will retain assets of the failed bank with a book value of about $167.0 million.

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FDIC
FEDERAL DEPOSIT INSURANCE CORPORATION

NEWS RELEASE

FOR IMMEDIATE RELEASE PR-234-90 (12-13-90)

FDIC APPROVES ASSUMPTION OF DEPOSITS OF BANK OF COMMERCE, ALEXANDRIA, LOUISIANA

The Board of Directors of the Federal Deposit Insurance Corporation has approved the assumption of the deposits and secured liabilities of Bank of Commerce, Alexandria, Louisiana, by The Evangeline Bank and Trust Co., Ville Platte, Louisiana.

The failed bank's sole office will reopen on Friday, December 14, 1990, as a branch of The Evangeline Bank and Trust Co., and its depositors automatically will become depositors of the assuming bank.

Bank of Commerce, with total assets of $19.1 million, was closed on Thursday, December 13, 1990, by Fred C. Dent, Commissioner of Financial Institutions, and the FDIC was named receiver.

The Evangeline Bank and Trust Co. will assume about $19.6 million in 2,000 deposit accounts and will purchase approximately $18.6 million of the failed bank's assets at a discount of $3,223,000.

The Board of Directors approved the deposit assumption under its authority to do so whenever it determines that such a transaction will reduce the potential loss to the FDIC. The transaction will result in a lower cost to the FDIC than if the assets were held and liquidated in receivership. Additionally, because the assets and deposits will be administered by The Evangeline Bank and Trust Co., the failed bank's customers will have the benefit of continuous uninterrupted service.

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FDIC
FEDERAL DEPOSIT INSURANCE CORPORATION
NEWS RELEASE

FOR IMMEDIATE RELEASE PR-235-90 (12-13-90)

FDIC APPROVES ASSUMPTION OF DEPOSITS OF WASHINGTON COUNTY STATE BANK, BRENHAM, TEXAS

The Board of Directors of the Federal Deposit Insurance Corporation has approved the assumption of the deposits and secured liabilities of Washington County State Bank, Brenham, Texas, by Channelview Bank, Channelview, Texas.

The failed bank's sole office will reopen on Friday, December 14, 1990, as a branch of Channelview Bank, and its depositors automatically will become depositors of the assuming bank.

Washington County State Bank, Brenham, Texas, with total assets of $81.4 million, was closed on Thursday, December 13, 1990, by Kenneth W. Littlefield, Banking Commissioner, and the FDIC was named receiver.

Channelview Bank will assume about $78.4 million in 11,600 deposit accounts and will purchase approximately $68.5 million of the failed bank's assets at a discount of $4,513,000.

The Board of Directors approved the deposit assumption under its authority to do so whenever it determines that such a transaction will reduce the potential loss to the FDIC. The transaction will result in a lower cost to the FDIC than if the assets were held and liquidated in receivership. Additionally, because the assets and deposits will be administered by Channelview Bank, the failed bank's customers will have the benefit of continuous uninterrupted service.

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All Resolutions, Through October 1, 1990

Institution Name	City	State	Date of Resolution	Type of Resolution	Acquiring Institution	City	State	Press Rls No	Press Rls Date
Acadia S&LA*	Crowley	LA	10/06/89	DT	Iberia Savings Bank	New Iberia	LA	49-89	10/06/89
Alpine Savings	Steamboat Springs	CO	06/22/90	PO	Payout	Payout	PO	329-90	06/22/90
American Federal S&LA	Albuquerque	NM	06/08/90	PA	First Nat'l Bank in Albuquerque	Albuquerque	NM	280-90	06/08/90
American FSB	Austin	TX	09/08/89	DT	NCNB Texas Nat'l Bank	Dallas	TX	22-89	09/08/89
American Home S&L Association, FA	Edmond	OK	09/12/90	PA	Founders Bank & Trust Company	Oklahoma City	OK	469-90	09/12/90
American Interstate	Costa Mesa	CA	05/04/90	PO	Payout	Payout	PO	162-90	05/04/90
American S&LA of Brazoria	Lake Jackson	TX	09/28/90	PO	Payoff	Payoff	PO	514-90	09/28/90
American S&LA, F.A.	New Orleans	LA	06/08/90	DT	Gulf Coast Bank & Trust Co.	New Orleans	LA	270-90	06/08/90
American Savings of Colorado, a FS&LA	Colorado Springs	CO	05/18/90	PA	World Savings & Loan	Oakland	CA	221-90	05/18/90
American Savings, A FS&LA	Salt Lake City	UT	06/08/90	PA	Pacific First FSB	Seattle	WA	276-90	06/08/90
American Security FS&LA	Chicago	IL	06/19/90	PA	Marquette Nat'l Bank	Chicago	IL	306-90	06/19/90
Amerimac SB, FS	Hillsboro	IL	05/15/90	DT	Security Savings Bank, FSB	Hillsboro	IL	199-90	05/15/90
Ameriway SA	Houston	TX	05/14/90	PA	United SA of the Southwest FSB	Houston	TX	197-90	05/14/90
Anchor FS&LA*	Kansas City	MO	06/22/90	PA	Bank IV Kansas Assoc. NA	Olative	KS	335-90	06/22/90
Arlington Heights Savings Assocition, F.A.	Arlington Heights	IL	09/28/90	PA	Citibank, FSB	Chicago	IL	517-90	09/28/90
Arrowhead Pacific FSB	San Bernardino	CA	05/04/90	PO	Payout	Payout	PO	170-90	05/04/90
Aspen SB, FSB	Aspen	CO	06/08/90	DT	The Bank of Aspen	Aspen	CO	277-90	06/08/90
Baldwin County Federal Savings Bank	Robertsdale	AL	08/10/90	PA	First Alabama Bank	Montgomery	AL	405-90	08/10/90
Baltimore Federal Financial*	Baltimore	MD	04/20/90	DT	Household Bank, FSB	Newport Beach	CA	139-90	04/20/90
Banc Iowa Federal	Cedar Rapids	IA	08/10/90	PA	Brenton Bank & Trust	Cedar Rapids	IA	408-90	08/10/90

All Resolutions, Through October 1, 1990

Institution Name	City	State	Date of Resolution	Type of Resolution	Acquiring Institution	City	State	Press Rls No	Press Rls Date
Savings Bank					Co. of Cedar Rapids				
Bankers S&LA	Galveston	TX	03/16/90	PA	NCNB Texas National Bank	Dallas	TX	107-90	03/16/90
Bannerbanc FS&LA	Garland	TX	09/28/90	DT	Colonial S&LA	Fort Worth	TX	515-90	09/28/90
Bedford SA*	Bedford	TX	04/20/90	PA	First American Savings Banc	North Richland Hills	TX	138-90	04/20/90
Bexar SA	San Antonio	TX	06/15/90	PA	Sunbelt Savings	Dallas	TX	303-90	06/15/90
Black Hawk S&LA, FA	Rock Island	IL	06/29/90	PA	American Bank of Rock Island	Rock Island	IL	352-90	06/29/90
Blue Valley FS&LA	Kansas City	MO	06/15/90	DT	Branch Sale	Branch Sale	BS	304-90	06/15/90
Brickellbanc SA	Miami	FL	06/08/90	DT	Helm Bank	Miami	FL	278-90	06/08/90
Bright Banc SA*	Dallas	TX	02/02/90	PA	Banc One	Columbus	OH	41-90	02/02/90
Broadview FSB, F.A.	Cleveland	OH	05/18/90	PA	The First Federal SB	Cleveland	OH	213-90	05/18/90
Cabrillo Federal SB	San Jose	CA	05/11/90	PA	Financial Center Bank	San Francisco	CA	194-90	05/11/90
Caguas-Central Federal Savings Bank of PR	Caguas	PR	08/31/90	PA	Banco Santander Puerto Rico	Caguas	PR	449-90	08/31/90
Capital FS&LA	Little Rock	AR	06/29/90	DT	Branch Sale	Branch Sale	BS	353-90	06/29/90
Capitol City FSA	Austin	TX	09/14/90	PA	Bank One, Texas, NA	Dallas	TX	475-90	09/14/00
Caprock Federal S&L Association	Lubbock	TX	09/21/90	PO	Payoff	Payoff	PO	499-90	09/21/90
Cass FS&LA of St. Louis	Florissant	MO	06/22/90	DT	First Exchange Bank	Florissant	MO	322-90	06/22/90
Centennial FS&LA*	Greenville	TX	03/02/90	PA	NCNB Texas National Bank	Dallas	TX	86-90	03/02/90
Central S&L Association	Jackson	MS	09/28/90	DT	Bank of Forest	Forest	MI	507-90	09/28/90
Central S&LA	New Orleans	LA	06/22/90	PA	Gulf Coast Bank & Trust	New Orleans	LA	313-90	06/22/90
Centrust Bank	Miami	FL	06/29/90	PA	Great Western Bank	Beverly Hills	CA	360-90	06/29/90
Century FSB	Trenton	TN	06/15/90	PA	Security Bank	Newbern	TN	295-90	06/15/90
Century S&LA*	Baytown	TX	08/18/89	DT	NCNB - Texas	Dallas	TX	8-89	08/18/89
Chillicothe Federal	Chillicothe	IL	08/24/90	PA	South Side Trust &	Peoria	IL	437a-90	08/24/90

All Resolutions, Through October 1, 1990

Institution Name	City	State	Date of Resolution	Type of Resolution	Acquiring Institution	City	State	Press Rls No	Press Rls Date
S&L Association					Savings Bank of Peoria				
Citizens of Texas S&L Assocation	Baytown	TX	08/10/90	PA	West Loop Savings & Loan Association	Houston	TX	404-90	08/10/90
Citizens S&LA	Springfield	IL	06/22/90	PA	Magna Bank	Springfield	IL	316-90	06/22/90
City Federal S&L Association	Birmingham	AL	09/14/90	PA	First Alabama Bancshares, Inc.	Montgomery	AL	476-90	09/14/90
City Federal S&LA	Oakland	CA	05/18/90	DT	Mission National Bank	San Francisco	CA	220-90	05/18/90
City S&LA	Westlake Village	CA	08/25/89	DT	Olympia National Bank	Los Angeles	CA	14-89	08/25/89
City Savings Association	League City	TX	08/31/90	DT	League City Bank & Trust	League City	TX	450-90	08/31/90
City Savings Bank, FSB	Bedminister	NJ	09/21/90	BS	Branch Sale Was Partial Resolution. See release.	Remaining Branches still in conservatorship		493-90	09/21/90
Colonial Federal Savings Association	Prairie Village	KS	08/10/90	PA	First Colonial Bank, NA	Prairie Village	KS	407-90	08/10/90
Colonial SA of America	Liberal	KS	09/22/89	DT	The Garden National Banc	Garden City	KS	34-89	09/22/89
Colorado S&L Association	Englewood	CO	02/09/90	PA	Liberty Capital, Inc	Wilmington	OH	56-90	02/09/90
Colorado SB, FSB	Sterling	CO	06/29/90	DT	Colorado FSB	Sterling	CO	357-90	06/29/90
Columbia FSB	Westport	CT	04/12/90	PA	Gateway Bank	South Norwalk	CT	126-90	04/12/90
Community Federal S&L Association	Tampa	FL	09/07/90	PO	Payout	Payout	PO	465-90	09/07/90
Community Federal Savings Association	Bridgeport	CT	09/14/90	DT	Union Trust Co.	Stamford	CT	480-90	09/14/90
Community FS&LA	Newport News	VA	05/18/90	PA	Consolidated Bank & Trust Co.	Richmond	VA	209-90	05/18/90
Community S&L Association	Fond Du Lac	WI	02/09/90	PA	Bank One FSB	Milwaukee	WI	54-90	02/09/90
Concord-Liberty FS&LA	Monroeville	PA	12/15/89	PA	Parkvale SA	Monroeville	PA	91-89	12/15/89
Concordia FB for Savings	Lansing	IL	05/29/90	PA	Advance FB for Savings	Lansing	IL	246-90	05/29/90

All Resolutions, Through October 1, 1990

Institution Name	City	State	Date of Resolution	Type of Resolution	Acquiring Institution	City	State	Press Rls No	Press Rls Date
Constitution FSA	Monterey Park	CA	06/29/90	PO	Payout	Payout	PO	359-90	06/29/90
Cornerstone FSA	Houston	TX	05/18/90	PA	Great Southwest Savings, F.A.	Houston	TX	207-90	05/18/90
Crest Federal S&L Association	Kankakee	IL	09/14/90	DT/PO	See Release	See Release		481-90	09/14/90
Cross Roads S&LA	Checotah	OK	05/11/90	DT	Peoples National Bank	Checotah	OK	187-90	05/11/90
Delta FS&LA	Drew	MS	06/29/90	DT	Delta Bank & Trust	Drew	MS	351-90	06/29/90
Delta S&L Assocaition, FA	Kenner	LA	09/28/90	DT	First State Bank & Trust	Bogalusa	LA	510-90	09/28/90
Denton FS&LA	Denton	TX	06/22/90	PA	Kilgore FS&LA	Kilgore	TX	323-90	06/22/90
Deseret S&LA, F.A.	Salt Lake City	UT	05/25/90	PA	Zions First National Bank	Salt Lake City	UT	242-90	05/25/90
Durand FS&LA	Durand	WI	05/25/90	DT	Branch Sale	Branch Sale	BS	240-90	05/25/90
East Text S&LA	Tyler	TX	06/08/90	PA	NCNB Texas Nat'l Bank	Dallas	TX	279-90	06/08/90
Elmwood FS&LA	Harahan	LA	09/08/89	DT	First Nat'l Bank of Commerce	New Orleans	LA	23-89	09/08/89
Elysian FSB	Hoboken	NJ	06/29/90	PA	Pamrapo SB, SLA	Bayonne	NJ	349-90	06/29/90
Empire of America FSB	Buffalo	NY	09/28/90	PA	Multiple acquirors, see release	Multiple acquirors, see release		516-90	09/28/90
Enterprise Federal Savings Association	Clearwater	FL	09/07/90	PA	Comerica Bank-Florida, FSB	Clearwater	FL	462-90	09/07/90
Enterprise FS&LA	Marrero	LA	09/08/89	DT	Whitney National Bank	New Orleans	LA	24-89	09/08/89
Equitable FS&LA	Columbus	NE	06/22/90	PA	Conservative SB	Omaha	NE	317-90	06/22/90
Equity Federal Savings Bank	Denver	CO	09/14/90	PO	Payoff	Payoff	PO	474-90	09/14/90
Evangeline FS&LA*	Lafayette	LA	08/18/89	DT	Hibernia NB	New Orleans	LA	6-89	08/18/89
Fairmont Federal Savings Association	Fairmont	WV	09/07/90	PA	First Farmers & Merchants, NB	Fairmont	WV	464-90	09/07/90
Family FS&LA	Shreveport	LA	06/15/90	DT	City B&T of Shreveport	Shreveport	LA	292-90	06/15/90
Family FSA	Dallas	OR	06/22/90	PA	Washington FS&LA	Seattle	WA	330-90	06/22/90

All Resolutions, Through October 1, 1990

Institution Name	City	State	Date of Resolution	Type of Resolution	Acquiring Institution	City	State	Press Rls No	Press Rls Date
Family Savings Bank, FSB	Sapulpa	OK	05/25/90	DT	American Nat'l Bank & Trust	Sapulpa	OK	239-90	05/25/90
Federal Savings Association of the Southwest	Kilgore	TX	06/01/90	DT	Kilgore FS&LA	Kilgore	TX	259-90	06/01/90
Fidelity FSB	Corinth	MS	05/04/90	PA	BankSouth, FSB	Corinth	MS	161-90	05/04/90
Fidelity Savings Bank, FSB	Danville	IL	08/22/90	PA	First Midwest Bank/Danville, NA	Danville	IL	427-90	08/22/90
Financial Fed S&L Assoc.	Joplin	MO	04/27/90	PA	Farm & Home Savings	Kansas City	MO	149-50	04/27/90
Financial Security FS&LA	Delray Beach	FL	05/25/90	PA	Essex Savings Bank, FSB	Delray Beach	FL	237-90	05/25/90
Finanical S&LA	Fresno	CA	06/01/90	PO	Payout	Payout	PO	264-90	06/01/90
First California Savings	Orange	CA	09/22/89	DT	First American Bank	Rosemead	CA	38-89	09/22/89
First Capital SA of Texas	Houston	TX	09/22/89	DT	NCNB Texas	Dallas	TX	36-89	09/22/89
First City Federal S&L Association	Baton Rouge	LA	09/07/90	PA	Equitable Trust S&L Association	Baton Rouge	LA	459-90	09/07/90
First Equity SA	Tomball	TX	05/11/90	PA	Kilgore FS&LA	Kilgore	TX	193-90	05/11/90
First Fed. S&L Assoc.*	Bakersfield	CA	04/27/90	PA	Bank of America NTSA	San Francisco	CA	147-90	04/27/90
First Federal S&L Association	Baton Rouge	LA	08/17/90	DT	Life Savings Bank	Baton Rouge	LA	422-90	08/17/90
First Federal S&L Association	New Iberia	LA	09/28/90	DT	Iberia Savings Bank, SSB	New Iberia	LA	509-90	09/28/90
First Federal S&LA	Eunice	LA	05/11/90	DT	Guaranty Bank of Mamou	Mamou	LA	186-90	05/11/90
First Federal S&LA of Seminole	Seminole	OK	09/21/90	DT	The First National Bank & Trust Co. of Holdenville	Holdenville	OK	495-90	09/21/90
First Federal S&LA of the Florida Keys	Key West	FL	04/27/90	PA	Barnett Bank of the Keys	Key West	FL	147-90	04/27/90
First Federal SA of York	York	NE	06/22/90	PA	FNB of York	York	NE	319-90	06/22/90
First Federal Savings Assocaition	Warner Robins	GA	08/17/90	PA	CB&T Bank of Middle Georgia	Warner Robins	GA	420-90	08/17/90
First Federal	Diamondville	WY	06/15/90	PO	Payout	Payout	PO	296-90	06/15/90

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Savings Bank									
First Federal Savings Bank & Trust	Independence	MO	07/06/90	DT	Bank 10	Belton	MO	369-90	07/06/90
First Federal Savings Bank of Alaska, SB	Anchorage	AK	01/12/90	PA	First National Bank of Alaska	Anchorage	AK	20-90	01/12/90
First FS&LA	Largo	FL	06/08/90	DT	Barnett Banks, Inc	Jacksonville	FL	281-90	06/08/90
First FS&LA	Malvern	AR	08/25/89	PO	Payout	Payout	PO	12-89	08/25/89
First FS&LA	Summerville	GA	06/22/90	PA	Interfederal Savings Bank	Chattanooga	TN	314-90	06/22/90
First FS&LA of Brenham	Brenham	TX	05/25/90	DT	Kilgore FS&LA	Kilgore	TX	241-90	05/25/90
First FS&LA of Coffeyville*	Coffeyville	KS	08/18/89	DT	Bank IV of Coffeyville	Coffeyville	KS	7-89	08/18/89
First FS&LA of Colorado Springs	Colorado Springs	CO	06/29/90	PA	Western NB of Colorado Springs	Colorado Springs	CO	358-90	06/29/90
First FS&LA of East Alton	East Alton	IL	05/04/90	DT	Illinois State Bank & Trust	East Alton	IL	173-90	05/04/90
First FS&LA of Estherville & Emmetsburg	Estherville	IA	06/15/90	PA	Branch Sale	Branch Sale	BS	298-90	06/15/90
First FS&LA of Hutchinson	Hutchinson	KS	04/20/90	PA	Union National Bank	Wichita	KS	137-90	04/20/90
First FS&LA of Southeast Missouri	Cape Girardeau	MO	05/18/90	PA	County Bancorporation	Jackson	MS	217-90	05/18/90
First FS&LA*	Atlanta	GA	05/25/90	DT	Merchant Bank of Atlanta	Atlanta	GA	238-90	05/25/90
First Garland FS&LA	Garland	TX	06/22/90	DT	Kilgore FS&LA	Kilgore	TX	324-90	06/22/90
First Network FSB	Los Angeles	CA	09/14/90	PO	Payoff	Payoff	PO	483-90	09/14/90
First of Kansas, FA	Hays	KS	06/01/90	DT	First National B&T	Salina	KS	256-90	06/01/90
First S&LA, F.A.	Waco	TX	06/15/90	PA	Kilgore FS&LA	Kilgore	TX	297-90	06/15/90
First SA of Louisiana	La Place	LA	09/15/89	DT	Hibernia National Bank	New Orleans	LA	29-89	09/15/89
First Savings Association, F.A.	Bismarck	ND	09/21/90	DT	Metropolitan Federal Bank, FSB	Fargo	ND	498-90	09/21/90
First Savings of America*	Orland Park	IL	08/10/89	DT	First Savings of America	Chicago	IL	3-89	08/10/89

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First Savings of Americus	Americus	GA	06/22/90	PA	Sumter Bank & Trust	Americus	GA	318-90	06/22/90
First Savings of Laredo	Laredo	TX	06/15/90	PO	Payout	Payout	PO	293-90	06/15/90
First SB of Alabama	Hamilton	AL	12/15/89	DT	SouthTrust Bank of Marion Co.	Hamilton	AL	93-89	12/15/89
First State FSA	San Antonio	TX	05/04/90	PA	Bank One, Texas, N.A.	Dallas	TX	167-90	05/04/90
First Venice S&LA	Venice	FL	06/01/90	PA	NBD Florida, FSB	Venice	FL	257-90	06/01/90
FirstCentral Federal Savings Bank	Chariton	IA	09/07/90	PA	Seven Acquirors, See Release			456-90	09/07/90
Fountainbleau FSB	Slidell	LA	06/01/90	DT	Fountainbleau Community Bank	Slidell	LA	263-90	06/01/90
Freedom S&LA*	Tampa	FL	10/13/89	PA	NCNB of Florida	Tampa	FL	54-89	10/13/89
French Market Homestead FSA	Metairie	LA	09/14/90	DT	First National Bank of Commerce	New Orleans	LA	482-90	09/14/90
Frontier FS&LA	Walla Walla	WA	06/22/90	PA	Washington Mutual, a FSB	Seattle	WA	331-90	06/22/90
Gateway FSB	Oakland	CA	06/08/90	PA	J.T. Lau and Associates	San Mateo	CA	274-90	06/08/90
Gem City FS&LA	Quincy	IL	09/07/90	DT	Branch Sale, See Release			457-90	09/07/90
General SA	Henderson	TX	06/29/90	PA	Citizens National Bank	Henderson	TX	354-90	06/29/90
Germantown Trust SB	Germantown	TN	05/18/90	DT	National Bank of Commerce	Memphis	TN	212-90	05/18/90
Gibraltar S&LA	Annapolis	MD	06/08/90	PA	Annapolis National Bank	Annapolis	MD	269-90	06/08/90
Gibraltar Savings FSB*	Seattle	WA	06/29/90	PA	Security Pacific/Great Western Bank	Los Angeles	CA	361-90	06/29/90
Gibraltar Savings, FA*	Simi Valley	CA	06/29/90	PA	Security Pacific Bank	Los Angeles	CA	362-90	06/29/90
Gill Savings Association	San Antonio	TX	06/15/90	PA	Sunbelt Savings	Dallas	TX	303-90	06/15/90
Golden Circle SA, FSB	Corsicana	TX	08/24/90	PO	Payout	PO	PO	434-90	08/24/90

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Great American FS&LA	Oak Park	IL	09/21/90	BS	Branch Sale. See Release	Branch Sale	BS	492-90	09/21/90
Great Atlantic SB	Manteo	NC	09/15/89	DT	NCNB Nat'l Bank of North Carolina	Charlotte	NC	28-89	09/15/89
Great Plains Savings Association FA	Weatherford	OK	08/17/90	PA	Local Federal Savings & Loan Assoc.	Oklahoma City	OK	421-90	08/17/90
Great Southern FS&LA	Savannah	GA	06/22/90	PA	First Atlanta Bank	Atlanta	GA	336-90	06/22/90
Guadalupe S&LA, F.A.	Kerrville	TX	06/08/90	PO	Payout	Payout	PO	273-90	06/08/90
Guaranty FS&LA	Birmingham	AL	05/04/90	PA	Southwest Affiliated Banks	Birmingham	AL	172-90	05/04/90
Habersham FS&LA	Cornelia	GA	09/21/89	DT	First Nat'l Bank of Commerce	Commerce	GA	32-89	09/21/89
Hallmark SA, FA	Plano	TX	05/16/90	PO	Payout	Payout	PO	200-90	05/16/90
Hearne Building & Loan Assoc.	Hearne	TX	05/25/90	PO	Payout	Payout	PO	235-90	05/25/90
Heritage Federal S&L Association	Monroe	NC	09/21/90	PA	First Citizens Bank & Trust Co.	Raleigh	NC	494-90	09/21/90
Heritage Savings Association, FA	Jerseyville	IL	08/24/90	PA	The Carrollton Bank & Trust Co.	Carrollton	IL	438-90	08/24/90
HeritageBanc Savings Association	Duncanville	TX	04/27/90	PA	NCNB Texas National Bank	Dallas	TX	148-90	04/27/90
Hill Financial SA*	Red Hill	PA	10/13/89	PA	Meridian Financial SA, FA	Reading	PA	54-89	10/13/89
Home FS&LA	Mountain Home	AR	08/25/89	PO	Payout	Payout	PO	11-89	08/25/89
Home FS&LA	Centralia	IL	05/08/90	DT	Magna Bank of Centralia	Centralia	IL	179-90	05/09/90
Home FS&LA	Memphis	TN	06/15/90	PA	First Commercial Bank of Memphis	Memphis	TN	299-90	06/15/90
Home Owners Savings Bank, FSB	Burlington	MA	09/07/90	BS	Branch Sale, See Release			463-90	09/07/90
Home S&LA	New Orleans	LA	06/22/90	PO	Payout	Payout	PO	315-90	06/22/90
Home Savings Bank, FSB	Anchorage	AK	01/12/90	DT	Security Pacific Bank of AK	Anchorage	AK	19-90	01/12/90
Horizon Financial, FA*	Southhampton	PA	05/25/90	PA	Branch Sale (see release)	Branch Sale	BS	263-90	05/25/90
Horizon FS&LA	Metairie	LA	05/18/90	PO	Payout	Payout	PO	206-90	05/18/90

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Humble S&LA	Humble	TX	09/15/89	DT	Hibernia National Bank in Texas	Pflugerville	TX	30-89	09/15/89
Huntington FS&LA	Huntington Beach	CA	06/22/90	PA	American Savings Bank	Stockton	CA	332-90	06/22/90
Illinois Savings Bank, FA	Peoria	IL	08/17/90	PA	First FS&LA of Bureau County	Spring Valley	IL	417-90	08/17/90
Independence Federal Bank, FSB	Batesville	AR	09/07/90	DT	Worthen Bank & Trust Company, NA	Little Rock	AR	460-90	09/07/90
Independence S&LA	Vallejo	CA	10/20/89	DT	Bay View FS&LA	San Mateo	CA	59-89	10/20/89
Investment FS&LA	Chatsworth	CA	08/24/90	PA	Fidelity Federal Bank, a FSB	Glendale	CA	439-90	08/24/90
Jefferson S&L Association	Beaumont	TX	08/24/90	DT	Kilgore Federal Savings & Loan Assoc.	Kilgore	TX	435-90	08/24/90
La Hacienda SA	San Antonio	TX	05/04/90	DT	First Community Bank, NA	Alice	TX	168-90	05/04/90
Lafayette S&LA	Gretna	LA	06/01/90	DT	Algiers Homestead Association	New Orleans	LA	262-90	06/01/90
Lakeland Savings Bank, F.S.B.	Detroit Lakes	MN	08/24/90	DT	First Security State Bank	Sleepy Eye	MN	436-90	08/24/90
Landmark SB, FSB	Hot Springs	AR	06/22/90	PA	Arkansas Bank & Trust	Hot Springs	AR	325-90	06/22/90
Liberty Bell SA	Beaver Falls	PA	12/16/89	PA	Reeves Bank	Beaver Falls	PA	92-89	12/15/89
Liberty FS&LA*	New Port Richey	FL	08/10/89	DT	Citizens & Southern	Fort Lauderdale	FL	1-89	08/10/89
Libertyville Federal S&L Assoc.	Libertyville	IL	04/27/90	PA	Harris Bank Libertyville	Libertyville	IL	151-90	04/27/90
Lincoln FS&LA	Mt. Carmel	TN	06/15/90	DT	Executive Park Nat'l Bank	Kingsport	TN	294-90	06/15/90
Lincoln S&LA, F.A.	Miami	FL	06/08/90	DT	Barnett Banks, Inc.	Jacksonville	FL	281-90	06/08/90
Madison County FS&LA	Granite City	IL	05/18/90	DT	Branch Sale			218-90	05/18/90
Marshall SA, FA	Marshall	TX	06/29/90	PA	Kilgore FS&LA	Kilgore	TX	355-90	06/29/90
Merabank Federal Savings Bank	Phoenix	AZ	10/01/90	PA	Bank of America Arizona	Phoenix	AZ	506-90	10/01/90
Mercury S&LA	Huntington Beach	CA	09/21/90	PA	Security Pacific Corporation	Los Angeles	CA	500-90	09/21/90

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Meridian Savings Association*	Arlington	TX	04/13/90	DT	NCNB Texas National Bank	Dallas	TX	129-90	04/13/90
Meritbanc Savings Association	Houston	TX	09/14/90	PA	Kilgore Federal Savings & Loan	Kilgore	TX	479-90	09/14/90
Mesa FS&LA of Colorado	Grand Junction	CO	02/02/90	DT	Mesa Nat'l Bank	Grand Junction	CO	44-90	02/02/90
Metropolitan Federal S&L Association	Denville	NJ	09/28/90	PA	Collective FSB	Egg Harbor	NJ	518-90	09/28/90
Metropolitan Financial FSB	Dallas	TX	06/22/90	PA	United SA of Southwest	Houston	TX	337-90	06/22/90
Miami Savings Bank	Miami	FL	08/17/90	PA	Republic National Bank of Miami	Miami	FL	419-90	08/17/90
Mid America FS&LA	Parsons	KS	05/04/90	DT	Branch Sale	Branch Sale	BS	165-90	05/04/90
Mid Missouri S&L Assoc., FA	Boonville	MO	04/27/90	DT	United S&LA	Lebanon	MO	150-90	04/27/90
Midland Buckeye Savings, a FS&LA	Alliance	OH	09/07/90	PA	Citizen Banking Co.	Salineville	OH	461-90	09/07/90
Midwest Federal Savings Bank of Minot	Minot	ND	09/21/91	PA/BS	Branch Sale to multiple acquirors. See release	Branch Sale	BS	497-90	09/21/90
Midwest FS&LA	Nebraska City	NE	05/18/90	DT	American National Bank	Nebraska City	NE	216-90	05/18/90
Midwestern Savings Assn.	Macomb	IL	06/22/90	PA	Union Nat'l Bank of Macomb	Macomb	IL	320-90	06/22/90
Mission SA	San Antonio	TX	05/04/90	PO	Payout	Payout	PO	166-90	05/04/90
Missouri Savings Association, FA	Clayton	MO	09/07/90	PA	Mercantile Bank of St. Louis	St. Louis	MO	458-90	09/07/90
Modern FS&LA	Grand Junction	CO	01/26/90	PA	Centennial SB	Durango	CO	32-90	01/26/90
Mountainwest S&LA, a FS&LA	Ogden	UT	05/25/90	PA	Mountainwest Financial	Sandy	UT	245-90	05/25/90
Murray Federal S&LA	Dallas	TX	06/08/90	PA	United Savings of the Southwest, FSB	Houston	TX	271-90	06/08/90
New Braunfels S&LA	New Braunfels	TX	06/01/90	DT	Victoria Bank & Trust Company	New Braunfels	TX	261-90	06/01/90
New Guaranty Fed S&LA	Taylor	MI	04/27/90	PA	National Bank of Detroit	Detroit	MI	145-90	04/27/90
New Mexico FSA	Albuquerque	NM	06/15/90	PA	First Nat'l Bank	Albuquerque	NM	301-90	06/15/90

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Nile Valley FS&LA	Scottsbluff	NE	09/15/89	DT	First Nat'l B&T of North Platte	North Platte	NE	27-89	09/15/89
North American FSA	San Antonio	TX	05/22/90	PO	Payout	Payout	PO	222-90	05/21/90
North Carolina S&LA, FA	Charlotte	NC	09/21/90	PA	First Citizens Bank & Trust	Raleigh	NC	496-90	09/21/90
Occidental SB	Omaha	NE	06/15/90	PA	Firstier SBFSB	Omaha	NE	338-90	06/22/90
Otero Savings	Colorado Springs	CO	05/25/90	DT	Branch Sale/PO	Branch Sale/PO		236-90	05/25/90
Pacific Savings Bank*	Costa Mesa	CA	10/13/89	PA	Royal Trust Co.	Toronto	CN	54-89	10/13/89
Park Cities SA	Dallas	TX	08/10/89	DT	Comercia Bank	Dallas	TX	2-89	08/10/89
Peninsula FSB	South San Francisco	CA	06/22/90	DT	San Mateo County Nat'l Bank	San Mateo	CA	333-90	06/22/90
Peoples FS&LA of Thibodaux	Thibodaux	LA	05/11/90	DT	1st Interstate Bank of South Louisiana	Thibodaux	LA	188-90	05/11/90
Peoples Heritage S & L Assoc. of Salina	Salina	KS	01/12/90	DT	Sixteen other institutions (see release)			18-90	01/12/90
Peoples S&LA	Hampton	VA	05/18/90	PA	Consolidated Bank & Turst Co.	Richmond	VA	210-90	05/18/90
Peoples S&LA	Parsons	KS	05/04/90	DT	Branch Sale			164-90	05/04/90
Peoples S&LA, FA	Streator	IL	05/08/90	DT	Branch Sale			178-90	05/09/90
Peoples Savings Assoc., F.A.	St. Joseph	MI	02/02/90	PA	Peoples State Bank	St. Joseph	MI	29-90	01/26/90
Permian S&L Association	Kermit	TX	08/10/90	PO	Payout	PO	PO	405-90	08/10/90
Perpetual SA, FS&LA*	City of Industry	CA	08/25/89	DT	Bank of Industry	City of Industry	CA	13-89	08/25/89
Phenix FS&LA	Phenix City	AL	05/18/90	PA	Branch Sale	Branch Sale	BS	215-90	05/18/90
Pioneer Savings, F.A.	Plymouth	IN	05/18/90	PA	Ameritrust Nat'l Bank	Elkhart	IN	219-90	05/18/90
Plano S&LA, F.A.	Plano	TX	06/15/90	DT	First Gibraltar Bank, a FSB	Plano	TX	291-90	06/15/90
Platte Valley Savings	Platte Valley	NE	05/11/90	DT	First Nat'l Bank & Trust Co.	Kansas City	KS	190-90	05/11/90
Provident SA, FA	Casper	WY	08/17/90	PA	Key Bank of Wyoming, FSB	Casper	WY	424-90	08/17/90

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Republic Bank for Savings, FA	Jackson	MS	06/29/90	DT	Southbank FSB	Corinth	MS	356-90	06/29/90
River City FSB	Baton Rouge	LA	10/06/89	DT	Hibernia National Bank	New Orleans	LA	50-89	10/06/89
Rocky Mountain Savings	Woodland Park	CO	06/22/90	PA	Mountain Nat'l Bank	Woodland Park	CO	321-90	06/22/90
Royal Oak S&LA	Manteca	CA	05/11/90	DT	Bank of Stockton	Stockton	CA	195-90	05/11/90
Royal Palm FS&LA*	West Palm Beach	FL	06/08/90	DT	Barnett Banks, Inc.	Jacksonville	FL	281-90	06/08/90
Rusk FS&LA	Rusk	TX	06/29/90	DT	Citizens Bank	Rusk	TX	350-90	06/29/90
Salamanca Federal Savings Association	Salamanca	NY	08/17/90	PA	Cattaraugus County Bank	Little Valley	NY	416-90	08/17/90
San Antonio Savings Association, F.A. (SASA)*	San Antonio	TX	03/09/90	PA	First Gibraltar Bank, FSB	Dallas	TX	94-90	03/09/90
Saratoga S&LA	San Jose	CA	06/01/90	DT	Pacific western Bank	San Jose	CA	258-90	06/01/90
Savings of Texas Association	Jacksonville	TX	09/28/90	PO	Payoff	Payoff	PO	511-90	09/28/90
Seabank FSB	Myrtle Beach	SC	12/19/89	PA	First Citizens Bank & Trust	Columbia	SC	94-89	12/19/89
Seasons Federal Savings Bank	Richmond	VA	09/28/90	PA	Crestar Bank	Richmond	VA	512-90	09/28/90
Security Federal S&L Association	Peoria	IL	08/17/90	PA	First Financial Bank, FSB	Stevens Point	WI	416-90	08/17/90
Security Federal Savings Association	Richmond	VA	09/28/90	PA	Crestar Bank	Richmond	VA	508-90	09/28/90
Security FSA	Garden Grove	CA	05/04/90	DT	ITT Federal Bank, FSB	Irvine	CA	169-90	05/04/90
Sentinel Federal S&LA	Phoenix	AZ	06/15/90	DT	Biltmore Investors Bank, NA	Phoenix	AZ	308-90	06/15/90
Shawnee FS&LA	Topeka	KS	05/18/90	PA	Bank IV Topeka N.A.	Topeka	KS	211-90	05/18/90
Sierra FS&LA	Beverly Hills	CA	05/04/90	PA	Sun Savings Bank, FSB	Los Angeles	CA	171-90	05/04/90
Sioux Valley S&LA*	Cherokee	IA	08/18/89	PO	Payout	Payout	PO	9-89	08/18/89
Skokie FS&LA*	Skokie	IL	02/06/90	PA	Manufacturers National Corporation	Detroit	MI	47-90	02/06/90

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Sooner Federal Savings Association	Tulsa	OK	09/14/90	PA	First Gibraltar, FSB	San Antonio	TX	477-90	09/14/90
Southern Floridabanc FS&LA	Boca Raton	FL	10/06/89	DT	Affiliated Bank/North Shore N.	Tampa	FL	48-89	10/06/89
Southside FS&LA	Austin	TX	06/08/90	PO	Payout	Payout	PO	272-90	06/08/90
Spindletop SA	Beaumont	TX	06/01/90	DT	First City Bank, NA	Beaumont	TX	260-90	06/01/90
Spring Branch S&L Association	Houston	TX	08/31/90	PA	Coastal Banc Savings Assoc.	Houston	TX	451-90	08/31/90
St. Louis County SA, FA	Ferguson	MO	06/28/90	PA	Southside NB in St. Louis	St. Louis	MO	340-90	06/28/90
State Mutual FS&LA	Jackson	MS	05/11/90	PA	First Commerce SB	Jackson	MS	192-90	05/11/90
Suburban Savings Association	San Antonio	TX	09/14/90	PA	Plaza Bank, NA	San Antonio	TX	478-90	09/14/90
Sun Country SB of New Mexico, FSB	Albuquerque	NM	05/31/90	PO	Payout	Payout	PO	247-90	05/31/90
Sun FSA	Fort Dodge	IA	06/28/90	PA	Ida County State Bank	Ida Grove	IA	342-90	06/28/90
Sun S&L Association	Parker	CO	07/20/90	PO	Payout	Payout	PO	384-90	07/20/90
Sun Savings Association, F.A.	Kansas City	KS	05/11/90	DT	Brotherhood Bank & Trust Co.	Kansas City	KS	191-90	05/11/90
Sweetwater FS&LA	Rock Springs	WY	08/22/90	AR	First Security Bank of Rock Springs	Rock Springs	WY	428-90	08/22/90
Taylorbanc FS&LA	Taylor	TX	06/22/90	PA	Kilgore FS&LA	Kilgore	TX	326-90	06/22/90
Texas Western Federal Savings Association	Houston	TX	08/17/90	PO	Payout	Payout	PO	415-90	08/17/90
The Barber County S&LA	Medicine Lodge	KS	05/04/90	DT	The 1st Nat'l Bank	Medicine Lodge	KS	160-90	05/04/90
The Benjamin Franklin FS&LA	Portland	OR	09/07/90	PA	Bank of America, FSB	Portland	OR	466-90	09/07/90
The Duncan S&L Association	Duncan	OK	08/17/90	PA	Local Federal Savings & Loan Assoc.	Oklahoma City	OK	423-90	08/17/90
The Garnett S&L Association	Garnett	KS	08/10/90	PA	Farmers State Bank	Blue Mound	KS	406-90	08/10/90
The Guardian Federal S&L Assoc.*	Bakersfield	CA	04/27/90	DT	Bank of America NTSA	Bakersfield	CA	153-90	04/27/90

All Resolutions, Through October 1, 1990

Institution Name	City	State	Date of Resolution	Type of Resolution	Acquiring Institution	City	State	Press Rls No	Press Rls Date
Topeka Savings, a FS&LA	Topeka	KS	05/11/90	DT	Bank IV Topeka NA	Topeka	KS	185-90	05/11/90
Trinity Valley FS&LA	Cleveland	TX	10/06/89	DT	Hibernia Nat'l Bank in Texas	Pflugerville	TX	47-89	10/06/89
Unifirst Bank for Savings	Jackson	MS	06/15/90	PA	Branch Sale	Branch Sale	BS	302-90	06/15/90
Unipoint FSB	Trumann	AR	06/22/90	PA	UNICO Bank, FSB	Trumann	AR	327-90	06/22/90
United Federal Savings, FA	New Orleans	LA	09/28/90	DT	United Bank & Trust Co.	New Orleans	LA	513-90	09/28/90
United FS&LA	Vidalia	LA	07/20/90	PR	Concordia Bank & Trust Co.	Vidalia	LA	383-90	07/20/90
United Guaranty FSB	Tullahoma	TN	05/04/90	DT	Franklin County Bank	Winchester	TN	163-90	05/04/90
United Savings Bank, FSB	Windom	MN	07/06/90	DT	See Release			368-90	07/06/90
United Savings, a FS&LA	Northridge	CA	09/22/89	PO	Payout	Payout	PO	37-89	09/22/89
Universal FSB	Houston	TX	06/22/90	DT	Channelview Bank	Channelview	TX	328-90	06/22/90
Universal S&LA	Scottsdale	AZ	01/26/90	PA	First Arizona	Glendale	AZ	36-90	01/26/90
University FSA*	Houston	TX	10/13/89	PA	NCNB Corp. (NCNB Nat'l Bank)	Dallas	TX	54-89	10/13/89
Valley Federal SA	McAllen	TX	06/29/90	PA	International Bank of Commerce	Laredo	TX	363-90	06/29/90
Valley FS&LA	Grand Junction	CO	02/02/90	DT	Mesa National Bank	Grand Junction	CO	44-90	02/02/90
Valley Savings Bank, FSB	Roswell	NM	06/08/90	PO	Payout	Payout	PO	275-90	06/08/90
Village Savings FSB	Houston	TX	09/22/89	DT	NCNB Texas	Dallas	TX	35-89	09/22/89
Washington S&LA	Stockton	CA	05/11/90	DT	Security Pacific Nat'l Bank, NA	Los Angeles	CA	189-90	05/11/90
Westco Savings Bank, FSB	Wilmington	CA	04/27/90	DT	Frontier Bank, N.A.	La Palma	CA	154-90	04/27/90
Western Empire FS&LA	Yorba Linda	CA	08/31/90	DT	Southern California Bank	Downey	CA	452-90	08/31/90
Western S&LA, FA*	Phoenix	AZ	05/31/90	PA	Bank of America	Reno	NV	248-90	05/31/90
Westport Federal Savings Bank	Hanford	CA	08/17/90	PO	Payout	PO	PO	425-90	08/17/90

All Resolutions, Through October 1, 1990

Institution Name	City	State	Date of Resolution	Type of Resolution	Acquiring Institution	City	State	Press Rls No	Press Rls Date
Westwood S&L Association	Los Angeles	CA	08/24/90	PA	Fidelity Federal Bank, a FSB	Glendale	CA	640-90	08/24/90
Williamsburg FS&LA	Salt Lake City	UT	09/14/90	DT/BS	Branch Sale	See Release		484-90	09/14/90
Wilshire S&LA	Los Angeles	CA	06/22/90	PO	Payout	Payout	PO	334-90	06/22/90
Yorkridge-Calvert FSA	Baltimore	MD	09/28/90	DT	Household Bank, FSB	Newport Beach	CA	519-90	09/28/90

FSLIC

Federal Savings & Loan Insurance Corp.

A U.S. Government Agency

RESOLUTIONS / STABILIZATIONS / FDIC CONSERVATORSHIPS

May 31, 1989

FSLIC CASE RESOLUTION REPORT
MAY 31, 1989

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(Note: On detail tables, the symbol \ indicates this institution was resolved as a part of a package, with package totals shown immediately below, with last institution in the group.)

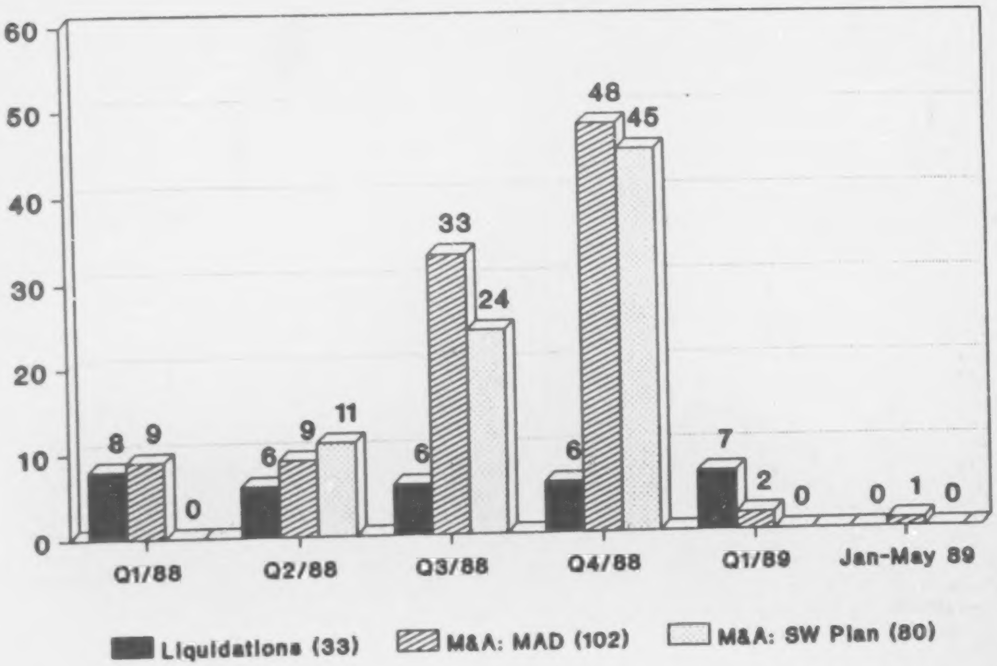
Additional copies of this report may be obtained by calling Carole Edwards, CFAO/FSLIC, 416-2073.

FSLIC INSURED INSTITUTIONS: Resolutions / Stabilizations / FDIC Conservatorships

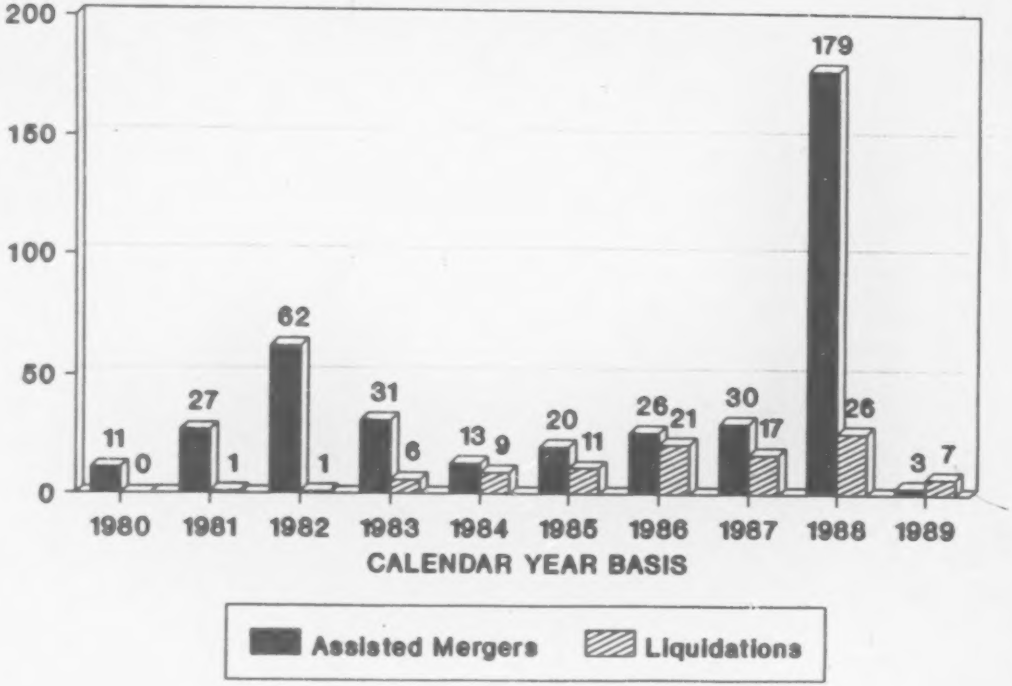
	CY '89	FY '89	CY '88	FY '88 & CEBA	CY '87	FY '87
	01/01/89 - 05/31/89	10/01/88 - 05/31/89	01/01/88 - 12/31/88	10/01/87 - 09/30/88 & 08/10/87 - 09/30/88	01/01/87 - 12/31/87	10/01/86 - 09/30/87
RESOLUTIONS						
Insurance	7	13	26	24	17	16
Merger/Acquisition: MAD	3	51	99	67	30	19
Merger/Acquisition: SW Plan	0	45	80	35	na	na
Subtotal: Resolutions	10	109	205	126	47	35
STABILIZATIONS						
Oklahoma Plan	0	0	10	14	na	na
Sunbelt Group	0	0	8	8	na	na
American Savings	0	0	0	1	na	na
Subtotal: Stabilizations	0	0	18	23	0	0
FDIC CONSERVATORSHIPS	224	224	na	na		
TOTAL ACTIONS	234	333	223	149	47	35

FSLIC CASE RESOLUTIONS

1988 through May 1989



FSLIC CASE RESOLUTIONS
1980 through May 31, 1989



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05-Jun-89

FDIC CASE RESOLUTIONS
JANUARY 1, 1989 - MAY 31, 1989

SUMMARY

	ASSETS	LIAB.	TANG. N.W.	LIAB UNRSLVD CASES	EST PV COS	EST PV COL	COS/ ASSETS	COS/ LIAB	COS/ T-NW	COL/ T-NW	COS/ LIAB UNRSLVD CASES
	|---------$Millions---------			$Millions	---------$Millions---|						
	[Data from report prior to action]			| CPO data	[Data from AED costing]						
3 TOTAL MERGERS/ACQUISITIONS	$282.26	$325.81	($75.96)	$0.00	$99.89	$115.57	35.39%	30.66%	131.51%	152.14%	0.00%
7 TOTAL LIQUIDATIONS	$475.49	$538.36	($69.17)	NA	$131.12	$131.12	27.56%	24.36%	189.55%	189.55%	0.00%
10 TOTAL JAN 1, 1989 - MAY 31, 1989 RESOLUTIONS	$757.75	$864.17	($145.13)	NA	$231.01	$246.69	30.49%	26.73%	159.18%	169.98%	0.00%

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[illegible]                                                              FSLIC CASE RESOLUTIONS
Data codes:  1=Data not confirmed                                   JANUARY 1, 1989 - MAY 31, 1989                                   05-Jun-89
             2=Assets, Liab & Tang NW from thrift report two
               months prior to resolution                  ||                              LIAB                ||                                              ||     ||
             3=COS & COL not confirmed                     ||                    TANG.    ASSUMED     EST      EST ||                                        COS/ ||     ||
             4=Not included, 5=Not available               ||    ASSETS    LIAB.   N.W.      CASES    PV COS   PV COL ||                                      LIAB ||     ||
        MNTH                                               || |---------$millions--------------$millions------$millions---|||   COS/     COS/     COS/     COL/  ASSUMED || Data ||
NO. NO. RSLVD DI DOCKET  INSTITUTION NAME        CITY      STATE|| [Thrift monthly rprt prior to action] CPO data [[Data from ADD costing |||  ASSETS   LIAB     T-NW     T-NW    CASES || CD   ||
......................................................................................................................................................................................
                   ***MERGERS/ACQUISITIONS [illegible]***                 ||                                                          ||                                              ||      ||
 1   1   2   7 4099 COOK COUNTY FSLA        CHICAGO         IL ||     \         \         \          \        \         \  ||    \        \        \        \        \  ||      ||
 2   2   2   7 7160 FIRST AMERICAN SLA      OAK BROOK       IL ||  $247.86   $259.57   ($64.72)      na    $87.83    $96.38 ||  35.44%   33.84%  135.71%  148.93%   0.00%||      ||
 3   3   4   6 7062 TROPICAL FSLA           MIAMI           FL ||  [illegible] $66.26  ($11.24)      na    $12.06    $19.19 || [illegible] 18.20% 107.30% 170.73%  0.00%||      ||
                                                               ||                                                          ||                                              ||      ||
                   TOTAL MERGERS/ACQUISITIONS                  ||  $282.26   $325.81   ($75.96)    $0.00   $99.89   $115.57 ||  35.39%   30.66%  131.51%  152.16%   0.00%||      ||
                                                               ||                                                          ||                                              ||      ||
                                                               ||                                                          ||                                              ||      ||
                   ***LIQUIDATIONS***                          ||                                                          ||                                              ||      ||
 4   1   1   6 7411 SOUTHERN FEDERAL, SB    [illegible]     SC ||   $86.42    $90.32    ($4.22)      na    $16.17    $16.17 ||  18.69%   17.90%  382.97%  382.97%   0.00%||      ||
 5   2   1   9 7525 FIRST FINANCIAL, SLA    NEW ALBANY      MS ||   $21.43    $22.60    ($4.57)      na     $4.87     $4.87 ||  22.70%   21.50%  106.67%  106.67%   0.00%||      ||
 6   3   1  11 7755 CARVER, SLA             ESCONDIDO       CA ||  $205.76   $207.53   ($21.70)      na    $53.05    $53.05 ||  25.78%   25.56%  247.43%  247.43%   0.00%||      ||
 7   4   2   5 7140 VALLEY FSLA             PIKEVILLE       TN ||   $11.95    $15.72    ($3.81)      na     $5.90     $5.90 ||  49.38%   37.54%  154.86%  154.86%   0.00%||      ||
 8   5   2   7 7067 OUR STATE SLA           CHAMPAIGN       IL ||   $28.44    $31.12    ($6.83)      na    $10.01    $10.01 ||  35.19%   32.17%  146.60%  146.67%   0.00%||      ||
 9   6   2  11 7932 SIGNAL SAVINGS          SIGNAL HILL     CA ||   $46.13    $54.58    ($8.74)      na    $16.01    $16.01 ||  34.70%   29.33%  183.18%  183.18%   0.00%||      ||
10   7   3  11 7990 MANHATTAN BEACH SLA     MANHATTAN BEACH CA ||   $25.87    $46.45   ($21.69)      na    $26.29    $26.29 || 101.66%   56.60%  121.24%  121.24%   0.00%||      ||
                                                               ||                                                          ||                                              ||      ||
                   TOTAL LIQUIDATIONS                          ||  $475.47   $540.36   ($69.17)      na   $131.12   $131.12 ||  27.58%   24.26%  189.56%  189.55%   0.00%||      ||
                                                               ||                                                          ||                                              ||      ||
                   TOTAL JAN 1, 1989 - MAY 31, 1989 RESOLUTIONS ||  $757.73   $866.17  ($145.13)      na   $231.01   $246.69 ||  30.49%   26.67%  159.18%  169.98%   0.00%||      ||
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FILE:ABCSFTER
05 Jun 89

FSLIC CASE RESOLUTIONS
OCTOBER 1, 1988 - MAY 31, 1989

SUMMARY

	ASSETS	LIAB.	TANG O.U.	LIAB UNRSLVD CASES	EST PV COS	EST PV CBL	COS/ ASSETS	COS/ LIAB	COS/ T-NW	CBL/ T-NW	CBL/ LIAB UNRSLVD CASES
	$Millions			$Millions	$Millions						
	(Data from report prior to action)			CFO data	(Data from ABD costing)						
39 SUBTOTAL SWD Mergers and Acquisitions	$13,730.37	$15,913.35	($6,051.99)	$1,619.31	$4,270.86	$5,665.56	31.16%	26.89%	100.46%	139.02%	264.24%
44 TOTAL SWD Mergers and Acquisitions	$51,015.87	$56,255.45	($6,210.65)	$3,460.45	$7,623.44	$11,429.23	14.71%	14.09%	122.59%	183.75%	219.78%
7 TOTAL Expedited Cases	$1,715.27	$1,776.44	($121.31)	$69.41	$109.31	$375.46	6.37%	6.15%	90.11%	261.91%	122.29%
46 TOTAL Southwest Plan	$28,780.37	$29,310.07	($5,152.74)	$2,846.86	$10,953.10	$13,517.40	40.29%	37.37%	212.37%	262.33%	334.01%
96 TOTAL MERGERS & ACQUISITIONS	$76,231.70	$88,341.99	($11,442.78)	$5,886.10	$18,685.85	$25,246.07	24.51%	21.08%	162.59%	219.62%	333.31%
13 TOTAL [illegible]	$1,138.17	$1,378.40	($443.88)	$285.41	$669.17	$669.17	58.79%	42.38%	150.92%	150.83%	338.96%
109 TOTAL [illegible] MAY 31, 1989 RESOLUTIONS	$77,369.87	$90,080.61	($11,956.38)	$6,099.51	$19,355.02	$25,989.26	25.02%	22.27%	162.15%	217.36%	333.16%

(Note: Subtotal and Total SWD Mergers and Acquisitions differentiates those cases considered ordinary and those considered extraordinary due to their unusual circumstances.

FILE:[illegible]

Data codes: 1=Data not confirmed
2=Assets, Liab & Tang NW from thrift report two
months prior to resolution
3=CDE & CDL not confirmed
4=Not included, Not Available

FSLIC CASE RESOLUTIONS

OCTOBER 1, 1988 - MAY 31, 1989

05-Jun-89

NO.	AUTO NO.	RSLVD	DI DRCDIST	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV CDE	EST PV CDL	CDE/ ASSETS	CDE/ LIAB	CDE/ T-NW	CDL/ T-NW	CDL/ LIAB UNRSLVD CASES	Data CD
							[Thrift monthly rpt prior to action]			CFO data	[Data from ADO costing]							
							$Millions			$Millions	$Millions							
				MERGERS AND ACQUISITIONS														
				ADO Mergers and Acquisitions														
1	1	11	2	1980 LINCOLN FSLA	WESTFIELD	NJ	$1,242.62	$1,312.12	($69.50)	$85.10	$145.60	$226.26	11.72%	11.10%	97.43%	160.99%	156.34%	
2	2	11	5	4403 SOUTHSIDE SLA	LIMA	OH	$57.31	$68.25	($10.94)	$7.64	$10.30	$14.70	17.97%	15.08%	95.96%	134.16%	138.44%	
3	3	11	11	0395 FLAGSHIP FSLA	SAN DIEGO	CA	$97.77	$106.10	($8.33)	$7.16	$23.79	$29.26	24.33%	22.76%	285.56%	351.22%	333.99%	
4	4	11	2	1315 RELIANCE SLA	[illegible]	NJ	[illegible]	$82.40	($20.54)	$20.62	$11.04	$25.14	19.11%	16.36%	57.65%	122.41%	61.37%	
5	5	12	4	3175 FIRST FSLA	JACKSONVILLE	FL	\	\	\	\	\	\	\	\	\	\	\	
6	6	12	4	0390 SOUTH FLORIDA SAVINGS, FSLA	DAVIE	FL	$1,242.33	$1,402.02	($105.63)	$19.18	$29.00	$234.46	2.16%	2.07%	27.45%	221.98%	151.28%	
7	7	12	4	0500 MC LEAN FSA	MC LEAN	VA	$287.14	$369.95	($84.52)	$3.08	$66.44	$142.55	23.14%	17.96%	78.61%	168.67%	2211.72%	
8	8	12	4	0329 BRACE FSLA	BOYNTON BEACH	FL	$1,156.76	$1,246.31	($1,061.38)	$73.67	$978.32	$1,086.95	84.56%	78.56%	95.91%	98.61%	1527.98%	
9	9	12	4	7637 BROWARD FSLA	SUNRISE	FL	$560.09	$672.62	($115.98)	$95.43	$151.07	$186.72	27.46%	22.46%	130.26%	159.27%	156.38%	
10	10	12	5	1280 OHIO VALLEY SLA	STEUBENVILLE	OH	\	\	\	\	\	\	\	\	\	\	\	
11	11	12	5	5712 FIRST [illegible] SB	PIQUA	OH	$311.07	$360.01	($50.46)	$46.85	$90.76	$110.07	29.09%	25.20%	152.61%	185.12%	195.76%	
12	12	12	6	3657 FIRST [illegible], FA	[illegible]	MI	\	\	\	\	\	\	\	\	\	\	\	
13	13	12	6	7902 BLOOMFIELD SLA, FA	BIRMINGHAM	MI	$889.40	$963.08	($140.97)	$137.38	$118.29	$251.86	13.40%	12.54%	79.41%	160.53%	86.15%	
14	14	12	7	0257 GLEN ELLYN SLA, FSLA	GLEN ELLYN	IL	$69.08	$80.13	($10.17)	$17.58	$20.31	$35.67	29.40%	25.38%	111.70%	196.31%	116.08%	
15	15	12	7	5975 AMERICAN SB	SPRINGFIELD	IL	$891.02	$1,046.51	($148.48)	$179.46	$187.89	$253.12	21.07%	19.46%	126.54%	170.47%	145.13%	
16	16	12	7	8643 LYONS SAVINGS, FSLA	COUNTRYSIDE	IL	$1,405.83	$1,726.96	($261.05)	$120.53	$365.11	$462.17	25.97%	22.33%	139.76%	191.73%	319.51%	
17	17	12	8	3057 [illegible] FSLA	[illegible]	OH	$95.44	$97.22	($5.33)	$8.26	$8.00	$13.05	8.36%	8.23%	150.09%	244.84%	3076.92%	
18	18	12	8	4707 [illegible]AMERICA SB	WATERLOO	IA	$256.47	$261.52	($12.60)	$6.42	$16.00	$33.07	5.46%	5.35%	130.41%	260.00%	316.96%	
19	19	12	8	4481 FIRST FINANCIAL SB	DES MOINES	IA	$262.35	$275.45	($47.70)	$0	$59.57	$75.51	22.71%	21.70%	124.88%	158.30%	0.00%	
20	20	12	8	5627 HOME FSLA OF SPENCER	SPENCER	IA	\	\	\	\	\	\	\	\	\	\	\	
21	21	12	8	3754 NORTHWEST FSLA OF SPENCER	SPENCER	IA	$170.05	$200.05	($76.36)	$21.61	$54.77	$79.37	32.21%	26.02%	73.40%	106.77%	253.43%	
22	22	12	10	5670 [illegible] COUNTY FSA	PLACERVILLE	CO	$25.45	$40.85	($15.33)	$2.00	$19.53	$27.51	76.75%	47.80%	127.40%	146.84%	688.00%	
23	23	12	10	8516 [illegible] (See note below)	OKLAHOMA CITY	OK	$315.44	$316.51	($35.86)	$0	$78.25	$113.85	24.84%	24.91%	218.62%	317.64%	0.00%	
25	25	12	10	8517 COMMUNITY (See note below)	TULSA	OK	$561.89	$561.43	($40.79)	$0	$90.60	$130.19	16.43%	16.44%	210.24%	305.95%	0.00%	
27	27	12	11	7633 COLUMBIA SLA	SAN RAFAEL	CA	\	\	\	\	\	\	\	\	\	\	\	
28	28	12	11	8351 CAL AMERICA SLA, FSLA	WALNUT CREEK	CA	\	\	\	\	\	\	\	\	\	\	\	
29	29	12	11	8505 FIRST SECURITY SB	PLEASANT HILL	CA	$557.72	$777.77	($221.40)	$166.55	$243.27	$320.48	43.62%	31.28%	109.83%	144.66%	167.84%	
30	30	12	11	8257 BEVERLY HILLS SAVINGS, FSLA	BEVERLY HILLS	CA	$1,190.88	$1,010.43	($1,080.10)	$431.15	$983.12	$1,181.20	82.61%	54.05%	90.26%	110.00%	228.03%	

FILE:[illegible]

Data codes: 1=Data not confirmed

2=Assets, Liab & Tang GW from thrift report two months prior to resolution

3=COS & GOL not confirmed

4=Not included, [illegible] Available

FSLIC CASE RESOLUTIONS

OCTOBER 1, 1988 - MAY 31, 1989

05-Jun-89

NO.	NO.	[illegible]	[illegible]	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG. G.W.	LIAB UNSOLVED CASES	EST PV COST	EST PV COL	COST/ ASSETS	COST/ LIAB	COST/ T-GW	COL/ T-GW	COST/ LIAB UNSOLVED CASES	Data CD
							[Thrift monthly rpt prior to action]	($millions)		CFO data ($millions)	[Data from [illegible] meeting] ($millions)							
31	31	12	11	[illegible] TAHOE SLA, FSLA	SOUTH LAKE TAHOE	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
32	32	12	12	2570 AMERICAN HOME SAVINGS, FSB	SALEM	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
33	33	12	12	[illegible] COMMUNITY FIRST FED SAVINGS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
34	34	12	12	[illegible] ROCKY MOUNTAIN FSLA	CHEYENNE	WY	\	\	\	\	\	\	\	\	\	\	\	
35	35	12	12	[illegible] UNITED SB OF WYOMING, FSB	CHEYENNE	WY	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
36	36	12	12	1371 JACKSON COUNTY FSLA	MEDFORD	OR	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
37	37	2	7	[illegible] COOK COUNTY FSLA	CHICAGO	IL	\	\	\	\	\	\	\	\	\	\	\	
38	38	2	7	7145 FIRST AMERICAN SLA	OAK BROOK	IL	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
39	39	4	4	[illegible] TROPICAL FSLA	MIAMI	FL	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
				SUBTOTAL [illegible] Mergers and Acquisitions			[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
40	40	12	10	[illegible] MILE HIGH	DENVER	CO	\	\	\	\	\	\	\	\	\	\	\	
41	41	12	10	[illegible] COLUMBIA FSLA	ENGLEWOOD	CO	\	\	\	\	\	\	\	\	\	\	\	
42	42	12	5	1917 CARDINAL FSB	CLEVELAND	OH	\	\	\	\	\	\	\	\	\	\	\	
43	43	12	7	5330 POTOMAC FINANCIAL, FA	CHICAGO	IL	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
44	44	12	11	[illegible] AMERICAN SAVINGS	STOCKTON	CA	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
				TOTAL [illegible] Mergers and Acquisitions			[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	

Note: Arrowhead and Community were the result of the consolidation of two institutions each under the Oklahoma Plan. As such each represented two institutions on the FSLIC case list and now count as two resolutions each.

FILE:DELVFIED

Data codes: 1=Data not confirmed

2=Assets, Liab & Tang Nw from thrift report two months prior to resolution

3=CDB & CBL not confirmed

01=Not Included, 00=Not Available

FSLIC CASE RESOLUTIONS

OCTOBER 1, 1988 - MAR 31, 1989

05-Jun-89

NO.	NO.	AUTO SOLVD	DT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNSOLVD CASES	EST PV CDB	EST PV CBL	CDB/ ASSETS	CDB/ LIAB	CDB/ T-Nw	CBL/ T-Nw	CDB/ LIAB UNSOLVD CASES	Data CD
								$Millions			$Millions	$Millions							
								[thrift monthly rprt prior to action]			CFD data	[Data from ABD meeting]							
					MERGERS AND ACQUISITIONS														
					Expedited Case Processing														
45	1	10	5	710	FIRST FSLA	SHEFFIELD	AL	$51.45	$74.33	($22.87)	$15.30	$25.30	$26.01	48.98%	33.98%	110.19%	122.67%	162.38%	
46	2	10	5	1115	PEOPLES FSB	WEBSTER	MA	$368.35	$376.33	($25.20)	$20.66	$34.90	$47.86	9.47%	9.27%	99.15%	190.67%	171.77%	
47	3	10	6	3339	FIRST FSLA	COLUMBUS	GA	$254.39	$265.45	($10.07)	$5.21	$4.88	$30.72	1.92%	1.84%	44.09%	285.53%	95.74%	
48	4	12	6	3461	VIRGINIA FSLA	RICHMOND	VA	$685.28	$699.47	($30.21)	$21.05	$13.38	$102.96	1.97%	1.93%	44.69%	340.81%	61.58%	
49	5	12	7	4057	PEORIA SLA	PEORIA	IL	$176.35	$177.43	($10.78)	$5.57	$17.44	$30.25	9.89%	9.83%	161.78%	280.61%	385.35%	
50	6	12	12	7079	EASTERN WASHINGTON, SLA	EAST WENATCHEE	WA	$50.16	$51.40	($1.31)	$0	$1.97	$8.70	3.93%	3.83%	150.38%	664.12%	0.00%	
51	7	12	12	9609	GREAT FALLS FSLA	GREAT FALLS	MT	$128.97	$131.98	($10.07)	$9.35	$11.42	$22.86	8.85%	8.65%	113.41%	227.01%	110.58%	
					Total Expedited Cases			$1,715.27	$1,776.46	($121.31)	$87.61	$109.31	$295.46	6.37%	6.15%	90.11%	241.91%	122.25%	

9

FILE:RSLVFY89

Data codes: 1=Data not confirmed
2=Assets, Liab & Tang NW from thrift report two
months prior to resolution
3=CDS & COL not confirmed
NI=Not Included, NA=Not Available

FSLIC CASE RESOLUTIONS
OCTOBER 1, 1988 - MAY 31, 1989

05-Jun-89

NO.	NO.	MNTH RSLVD	BY DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV CDS	EST PV COL	CDS/ ASSETS	CDS/ LIAB	CDS/ T-NW	COL/ T-NW	CDS/ LIAB UNRSLVD CASES	Data CD
							[Thrift monthly rpt prior to action] ($Millions)			CFO data ($Millions)	[Data from ADD costing ($Millions)							
				MERGERS AND ACQUISITIONS														
				Southwest Plan														
				BUCK PER/ADAM CORP														
52	1	10	9	5080 BANC HOME SA	MIDLAND	TX	$686.50	$712.38	($137.96)	$105.90	\	\						
53	2	10	9	5579 SOUTHWEST SLA	ABILENE	TX	$160.96	$366.46	($215.12)	$205.65	\	\						
54	3	10	9	7525 HEART O TEXAS SA	SAN SABA	TX	$270.61	$270.02	($11.04)	$0.32	\	\						
55	4	10	9	5183 ODESSA SA	ODESSA	TX	$135.20	$157.54	($25.41)	$12.34	\	\						
56	5	10	9	7082 PETROPLEX SA	MIDLAND	TX	$113.92	$183.21	($72.22)	$67.49	\	\						
57	6	10	9	4256 SAN ANGELO SA	SAN ANGELO	TX	$127.15	$196.76	($72.22)	$29.32	\	\						
58	7	10	9	6347 SOUTHERN SLA	BROWNWOOD	TX	$135.85	$202.08	($49.97)	$45.43	\	\						
59	8	10	9	7660 SHAMROCK FSLA	SHAMROCK	TX	$108.30	$122.76	($20.74)	$12.23	\	\						
60	9	10	9	130 SECURITY	PAMPA	TX	$432.16	$430.30	($42.20)	$39.67	\	\						
61	10	10	9	3274 FIRST FSLA	AMARILLO	TX	$230.02	$256.54	($42.42)	$35.00	\	\						
62	11	10	9	31 OLNEY SA	OLNEY	TX	$1,363.69	$1,391.08	($67.47)	$0.00	\	\						
				Total Adam Corp			$3,677.34	$4,305.05	($754.85)	$560.15	$1,409.72	$1,682.67	48.51%	36.60%	197.35%	222.91%	305.95%	
				FISH PER/AMERICITY FED														
63	12	11	9	7313 TEXANO SLA	LAREDO	TX	$251.00	$385.64	($132.08)	$23.41	$160.79	$190.27	64.06%	41.69%	121.74%	150.12%	686.84%	
				PARD PER/E/O ACQUISITION GROUP														
64	13	12	9	1636 MINERAL WELLS SLA	MINERAL WELLS	TX	$31.58	$33.66	($3.60)	$193.35	\	\						
65	14	12	9	2876 HOME SLA	LUFKIN	TX	$282.05	$427.51	($161.88)	$44.20	\	\						
66	15	12	9	3827 MESQUITE SLA	MESQUITE	TX	$46.76	$50.09	($6.19)	$1.72	\	\						
67	16	12	9	3107 FIRST WESTERN SLA	COLORADO CITY	TX	$86.40	$118.24	($33.11)	$0	\	\						
68	17	12	9	3118 COMMODORE SA	DALLAS	TX	$461.79	$1,170.82	($709.20)	$299.40	\	\						
69	18	12	9	3323 LAMESA FSLA	LAMESA	TX	$88.18	$88.39	($0.41)	$0	\	\						
70	19	12	9	3547 FIRST FSLA	BIG SPRING	TX	$129.57	$152.62	($25.16)	$6.61	\	\						
71	20	12	9	6302 SENTRY SA	SLATON	TX	$86.83	$164.48	($78.76)	$44.87	\	\						
72	21	12	9	6327 VISTA SA	ODESSA	TX	$126.99	$169.04	($58.86)	$47.55	\	\						

FILE:RSLVFY89

FSLIC CASE RESOLUTIONS

OCTOBER 1, 1988 - MAY 31, 1989

05-Jun-89

Data codes: 1=Data not confirmed
2=Assets, Liab & Tang NW from thrift report two months prior to resolution
3=CBB & TBL not confirmed
$1=Not included, NA=Not Available

NO.	NO.	DATE DSLVD	BY	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV CBB	EST PV CBL	CBB/ ASSETS	CBB/ LIAB	CBB/ T-NW	CBL/ T-NW	CBB/ LIAB UNRSLVD CASES	Data CD
								|-------$Millions------- (Thrift monthly rprt prior to action)			$Millions (CFO data)	$Millions (Data from ABD meeting)							
73	22	12	9	6700	INTERWEST SA	FORT WORTH	TX	$102.34	$190.31	($95.62)	$44.31	\	\						
74	23	12	9	6702	SOUTHERN FED BANK SLA	LANCASTER	TX	$89.57	$196.53	($105.06)	$49.44	\	\						
75	24	12	9	7102	RELIANCE SA	HOUSTON	TX	$35.78	$57.07	($26.24)	$9.35	\	\						
76	25	12	9	7425	NORTHPARK SA	RICHARDSON	TX	$125.95	$197.56	($76.20)	$10.55	\	\						
77	26	12	9	8114	METROPLEX FSA	GARLAND	TX	$84.26	$76.14	($11.89)	$1	\	\						
78	27	12	9	8270	HI-PLAINS SLA, FSLA	HEREFORD	TX	$47.25	$113.08	($77.33)	$41.25	\	\						
						Total		$1,085.78	$3,285.24	($1,460.20)	$812.70	$1,046.25	$2,117.08	102.35%	57.68%	125.66%	146.09%	227.10%	
					YEAR-1 FSB/FORD, MacANDREWS & FORBES														
79	28	12	9	95	GIBRALTAR SA	HOUSTON	TX	$6,429.98	$6,360.96	($476.36)	$1	\	\						
80	29	12	9	1236	FIRST TEXAS SA	DALLAS	TX	$3,109.57	$3,703.94	($802.38)	$313.36	\	\						
81	30	12	9	5512	KILLEEN SLA	KILLEEN	TX	$133.16	$277.65	($145.50)	$54.60	\	\						
82	31	12	9	5606	HOME SA	HOUSTON	TX	$503.31	$605.50	($123.32)	$82.24	\	\						
83	32	12	9	8436	NORTHPORT SA, FSA	DALLAS	TX	$1,238.79	$1,253.67	($25.70)	$0.00	\	\						
						Total		$11,406.81	$12,209.30	($1,591.32)	$450.00	$5,033.62	$6,082.31	44.14%	41.23%	316.32%	420.72%	1118.58%	
					YEAR 2-8 FSB/PACIFIC ELEC WIRE CO														
84	33	12	9	2509	FIRST FSLA	LULING	TX	$30.26	$40.95	($19.34)	$10.15	\	\						
85	34	12	9	3402	YOAKUM FSLA	YOAKUM	TX	$44.28	$50.91	($6.63)	$3.91	\	\						
86	35	12	9	4121	SEGUIN SA	SEGUIN	TX	$127.79	$170.25	($49.47)	$20.94	\	\						
87	36	12	9	7083	CHARTER SLA	CORPUS CHRISTI	TX	$386.27	$594.82	($229.42)	$40.23	\	\						
88	37	12	9	7543	UNION SA	GOLIAD	TX	$91.31	$97.53	($10.03)	$3.96	\	\						
89	38	12	9	7778	INDEPENDENCE SLA	GONZALES	TX	$50.19	$74.32	($16.14)	$5.71	\	\						
90	39	12	9	8070	KEYSTONE SLA	LAMPASAS	TX	$30.31	$38.78	($10.22)	$1.60	\	\						
91	40	12	9	8129	BAYVIEW FSA	CORPUS CHRISTI	TX	$64.30	$76.52	($12.35)	$1	\	\						
						Total		$832.78	$1,150.99	($353.68)	$86.57	$706.19	$761.34	86.08%	61.35%	199.71%	209.65%	815.74%	
					LAND FSB/CENTEX CORP														
92	41	12	9	7101	PEOPLES SLA	LLANO	TX	$162.38	$392.80	($232.42)	$67.95	\	\						
93	42	12	9	7470	BURNET SLA	BURNET	TX	$29.62	$33.74	($5.22)	$2.74	\	\						

FILE:[illegible]

FSLIC CASE RESOLUTIONS

OCTOBER 1, 1988 - MAY 31, 1989

05-Jun-89

Data codes: 1=Data not confirmed
2=Assets, Liab & Tang NW from thrift report two months prior to resolution
3=CDS & CDL not confirmed
4=Not included, NA=Not Available

NO.	NO.	DATE RSLVD	DT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNDRLYG CASES	EST PV CDS	EST PV CDL	CDS/ ASSETS	CDS/ LIAB	CDS/ T-NW	CDL/ T-NW	CDS/ LIAB UNDRLYG CASES	Data CD
								Thrift monthly rprt prior to action ($Millions)			CPO data ($Millions)	Data from ADD costing ($Millions)							
94	43	12	9	7601	LEE SA	GIDDINGS	TX	$60.33	$100.15	($39.71)	$9.35	\	\						
95	44	12	9	7821	BANKERS SA	[illegible] CITY	TX	$257.06	$117.54	($301.37)	$35.19	\	\						
						Total		$317.09	$651.42	($338.92)	$115.21	$342.80	$443.09	107.08%	52.62%	101.14%	130.73%	297.56%	
					UNITED/SUPERIOR FSBS & UNITED HOLDINGS														
96	45	12	9	4438	UNITED SA OF TEXAS	HOUSTON	TX	$4,612.78	$7,480.44	($512.60)	$1	$1,375.73	$1,497.04	31.13%	18.56%	267.95%	291.08%	0.00%	
					TOTAL Southwest Plan			$22,720.37	$29,316.07	($5,152.76)	$2,048.06	$10,953.10	$13,517.40	48.21%	37.37%	212.57%	262.33%	534.81%	
					TOTAL MERGERS & ACQUISITIONS			$70,231.70	$85,341.90	($11,492.75)	$5,572.10	$18,685.85	$25,240.09	26.61%	21.90%	162.59%	219.62%	335.31%	

FILE:RSLV?989

FSLIC CASE RESOLUTIONS

OCTOBER 1, 1988 - MAY 31, 1989

05-Jun-89

Data codes: 1=Data not confirmed
2=Assets, Liab & Tang NW from thrift report two months prior to resolution
3=COR & COL not confirmed
NI=Not included, NA=Not Available

NO.	NO.	MNTH RSLVD	DT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV COR	EST PV COL	COR/ ASSETS	COR/ LIAB	COR/ T-NW	COL/ T-NW	COR/ LIAB UNRSLVD CASES	Data CD
								$Millions (Thrift monthly rpt prior to action)			$Millions CFO data	$Millions (Data from ARD costing)							
					INSURANCE ACTIONS														
97	1	10	6	8271	REGENCY SB, FSB	ANN ARBOR	MI	$136.53	$171.16	($34.31)	$30.07	$52.47	$52.47	38.43%	30.66%	152.04%	152.04%	176.49%	
98	2	10	9	7975	LIBERTY FSB	EATON	OH	$130.43	$180.32	($51.25)	$10.27	$79.85	$79.85	61.22%	44.28%	155.08%	155.08%	777.51%	
99	3	11	9	7572	CENTRAL ARKANSAS SLA	CONWAY	AR	$9.96	$12.20	($2.43)	$1.28	$3.49	$3.49	35.03%	28.61%	143.39%	143.39%	272.66%	
100	4	11	4	7063	CYPRESS SA	PLANTATION	FL	$172.59	$207.90	($35.48)	$1	$94.34	$94.34	54.66%	45.36%	266.47%	266.47%	0.00%	
101	5	11	10	8382	KEY SLA, FSLA	ENGLEWOOD	CO	$145.43	$252.68	($107.25)	$109.19	$131.24	$131.24	90.24%	51.96%	122.37%	122.37%	120.19%	
102	6	11	9	8438	TWIN CITY SAVINGS, A FSA	WEST MONROE	LA	$67.75	$215.95	($143.66)	$52.40	$176.66	$176.66	260.76%	81.82%	122.97%	122.97%	335.86%	
103	7	1	4	7411	SOUTHERN FEDERAL, SB	THOMASVILLE	GA	$76.62	$80.32	($3.70)	NA	$14.17	$14.17	18.49%	17.64%	382.97%	382.97%	0.00%	
104	8	1	9	7529	FIRST FINANCIAL, SLA	NEW ALBANY	IN	$21.40	$22.46	($2.05)	NA	$4.89	$4.89	22.76%	21.58%	186.67%	186.67%	0.00%	
105	9	1	11	7755	CARVER, SLA	ESCONDIDO	CA	$265.76	$287.53	($21.76)	NA	$53.85	$53.85	20.26%	18.73%	247.45%	247.45%	0.00%	
106	10	2	5	7560	VALLEY FSLA	PIKEVILLE	TN	$11.95	$15.72	($3.81)	NA	$5.90	$5.90	49.38%	37.54%	154.86%	154.86%	0.00%	
107	11	2	7	7067	MID-STATE SLA	CHAMPAIGN	IL	$28.44	$31.12	($6.83)	NA	$10.01	$10.01	35.18%	32.17%	146.57%	146.56%	0.00%	
108	12	2	11	7922	SIGNAL SAVINGS	SIGNAL HILL	CA	$46.13	$54.58	($8.74)	NA	$16.01	$16.01	34.70%	29.33%	183.18%	183.18%	0.00%	
109	13	2	11	7998	MANHATTAN BEACH SLA	MANHATTAN BEACH	CA	$25.07	$46.45	($21.69)	NA	$26.29	$26.29	104.86%	56.60%	121.21%	121.21%	0.00%	
					TOTAL INSURANCE ACTIONS			$1,138.17	$1,578.63	($443.68)	$203.41	$669.17	$669.17	58.79%	42.39%	190.82%	190.82%	326.98%	/
					TOTAL OCT 1, 1988 - MAY 31, 1989 RESOLUTIONS			$77,360.87	$86,920.61	($11,936.30)	$5,089.51	$19,355.62	$25,900.26	25.02%	22.27%	162.15%	217.04%	333.16%	

FILE:DBLVCY88
07-Apr-89

FSLIC CASE RESOLUTIONS
JANUARY 1 - DECEMBER 31, 1988

SUMMARY

	ASSETS	LIAB.	TANG B.V.	LIAB UNRSLVD CASES	EST PV COST	EST PV COL	COST/ ASSETS	COST/ LIAB	COST/ T-BW	COL/ T-BW	COST/ LIAB UNRSLVD CASES
	\$Millions			\$Millions	\$Millions						
	[Data from report prior to action]			CPO data	[Data from AED costing]						
83 SUBTOTAL RAD Mergers and Acquisitions	$21,605.36	$25,095.51	($6,002.31)	$3,498.57	$6,280.13	$8,355.51	29.07%	25.02%	104.63%	139.21%	179.51%
88 TOTAL RAD Mergers and Acquisitions	$59,688.79	$63,435.41	($8,168.07)	$5,367.91	$9,624.71	$14,119.98	16.12%	15.17%	117.82%	172.84%	179.30%
11 TOTAL Expedited Cases	$2,186.68	$2,280.77	($167.93)	$137.18	$153.43	$372.75	7.02%	6.73%	91.37%	221.96%	111.84%
80 TOTAL Southwest Plan	$35,819.31	$47,358.27	($10,740.35)	$5,479.26	$19,362.62	$23,020.41	54.06%	40.89%	180.20%	214.34%	353.38%
179 TOTAL MERGERS & ACQUISITIONS	$97,694.78	$113,074.44	($19,077.24)	$10,984.35	$29,140.76	$37,512.32	29.83%	25.77%	152.75%	196.63%	265.29%
26 TOTAL INSURANCE ACTIONS	$2,965.22	$5,181.86	($2,293.42)	$1,865.43	$2,586.37	$2,586.37	87.22%	49.91%	112.77%	112.77%	138.65%
205 TOTAL JAN 1 - DEC 31, 1988 RESOLUTIONS	$100,660.00	$118,256.30	($21,370.66)	$12,849.78	$31,727.13	$40,098.69	31.52%	26.83%	148.46%	187.63%	246.91%

(Note: Subtotal and Total RAD Mergers and Acquisitions differentiates those cases considered ordinary and those considered extraordinary due to their unusual circumstances.

FILE:RSLVCY88
Data codes:
1=Data not confirmed
2=Assets, Liab & Tang NW from thrift report two months prior to resolution
3=COS & COL not confirmed
[illegible]

FSLIC CASE RESOLUTIONS
JANUARY 1, 1988 - DECEMBER 31, 1988

07-Apr-89

NO.	NO.	RSLVD	DT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV COS	EST PV COL	COS/ ASSETS	COS/ LIAB	COS/ T-NW	COL/ T-NW	COS/ LIAB UNRSLVD CASES	Data CD
								|----$Millions----			$Millions---	--$Millions---							
								|thrift monthly rprt prior to action|			CFO data	|Data from AED costing							
					MERGERS AND ACQUISITIONS														
					[illegible] Mergers and Acquisitions														
1	1	1	7	2831	FIRST FSLA OF FREEPORT 1721	FREEPORT	IL	$30.41	$36.92	($9.51)	$13.15	$13.15	$13.77	43.24%	35.62%	138.28%	144.79%	100.00%	
2	2	2	3	3179	MAGNET BANK, FSB 1722	CHARLESTON	WV	\	\	\	\	\	\	\	\	\	\	\	
3	3	2	3	9972	MOUNTAIN STATE FSLA 1722	CLARKSBURG	WV	\	\	\	\	\	\	\	\	\	\	\	
4	4	2	3	3166	TRADERS FSLA 1722	PARKERSBURG	WV	$706.76	$720.07	($48.36)	$81.47	$81.48	$107.07	11.53%	11.32%	168.49%	221.40%	100.01%	
5	5	3	10	3100	FIRST FSLA 1723	CRAIG	CO	$30.09	$33.63	($3.83)	$3.81	$3.81	$5.85	12.66%	11.33%	99.50%	152.78%	100.00%	
6	6	3	8	2321	FIRST FSB 1724	WATERLOO	IA	\	\	\	\	\	\	\	\	\	\	\	
7	7	3	6	6823	FIRST FEDERATED SB 1724	W PALM BEACH	FL	\	\	\	\	\	\	\	\	\	\	\	
8	8	3	8	5065	PEOPLES FSLA 1724	WATERLOO	IA	\	\	\	\	\	\	\	\	\	\	\	
9	9	3	8	4477	THE PERPETUAL SLA 1724	WATERLOO	IA	$560.62	$654.29	($107.99)	$158.18	$154.07	$207.08	27.48%	23.55%	142.67%	191.76%	97.40%	
10	10	4	5	628	VALLEY FSLA 1727	ERWIN	TN	$80.16	$91.31	($10.83)	$7.42	$7.07	$17.99	8.82%	7.74%	65.28%	166.11%	95.28%	
11	11	4	12	7641	TRI-CITIES SLA 1725	KENNEWICK	WA	$53.80	$61.36	($9.06)	$16.61	$15.82	$20.75	29.41%	25.78%	174.61%	229.03%	95.24%	
12	12	4	7	4660	CITIZENS SLA 1726	EAST ALTON	IL	$38.61	$41.65	($5.16)	$6.78	$6.46	$9.45	16.73%	15.51%	125.26%	183.02%	95.28%	
13	13	5	2	2992	FIRST FSLA OF HAMMONTON 1728	HAMMONTON	NJ	$244.78	$318.95	($82.03)	$66.29	$72.08	$105.29	29.45%	22.60%	87.87%	128.36%	108.73%	
14	14	5	11	2268	EUREKA FSLA 1729	SAN CARLOS	CA	$1,762.69	$1,870.55	($297.72)	$285.05	$303.56	$395.87	17.22%	16.23%	101.96%	132.97%	106.49%	
15	15	6	5	3390	FRONTIER FSB 1731	DYERSBURG	TN	$46.42	$48.46	($7.51)	$10.64	$9.56	$12.62	20.60%	19.73%	127.36%	168.13%	89.85%	
16	16	6	6	3230	MUSKEGON FSLA 1732	MUSKEGON	MI	$211.83	$211.31	($1.67)	$4.20	$4.00	$17.52	1.89%	1.89%	239.52%	1049.10%	95.24%	
17	17	6	12	7753	LYNNWOOD SLA 1734	LYNNWOOD	WA	$24.06	$27.45	($3.53)	$4.62	$6.00	$10.60	24.94%	21.86%	169.83%	300.24%	129.87%	
18	18	6	11	7875	STANFORD SLA 1733	PALO ALTO	CA	$75.97	$83.60	($7.94)	#1	$9.32	$13.16	12.27%	11.16%	117.38%	165.49%	#1	
19	19	7	7	3926	GALVA FSLA 1735	GALVA	IL	\	\	\	\	\	\	\	\	\	\	\	
20	20	7	7	5137	HOME FSLA OF PEORIA 1735	PEORIA	IL	\	\	\	\	\	\	\	\	\	\	\	
21	21	7	7	6854	MUTUAL SLA 1735	CANTON	IL	$170.28	$187.81	($29.63)	$42.00	$34.16	$45.02	20.06%	18.19%	115.29%	151.94%	81.33%	
22	22	7	7	8346	REPUBLIC SAVINGS FSLA 1736	SOUTH BELOIT	IL	$36.54	$53.73	($17.19)	$13.63	$17.83	$20.93	48.80%	33.18%	103.72%	121.76%	130.81%	
23	23	8	5	7564	COMMERCE FSB 1744	KNOXVILLE	TN	$40.17	$55.06	($14.95)	$17.85	$17.17	$20.05	42.74%	31.19%	114.87%	134.14%	96.19%	
24	24	8	7	4190	FIRST FSLA OF TAYLORVILLE 1738	TAYLORVILLE	IL	$36.13	$37.90	($3.65)	$2.26	$2.70	$8.71	7.47%	7.12%	73.93%	238.56%	119.47%	

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FSLIC CASE RESOLUTIONS
JANUARY 1, 1988 - DECEMBER 31, 1988

07-Apr-89

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								$millions (thrift monthly rpt prior to action)			$millions CFO data	$millions (Data from AEO costing)							
NO.	NO.	MNTH RSLVD	DI	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	ESI PV COR	ESI PV COL	COR/ ASSETS	COR/ LIAB	COR/ T-NW	COL/ T-NW	COR/ LIAB UNRSLVD CASES	Data CD
25	25	8	8	6035	FIRST FSLA OF GRAND RAPIDS 1741	GRAND RAPIDS	MI	\	\	\	\	\	\	\	\	\	\	\	
26	26	8	8	393	WASHINGTON FSB 1741	STILLWATER	MN	\	\	\	\	\	\	\	\	\	\	\	
27	27	8	8	3958	PIONEER FSLA 1741	MASON CITY	IA	\	\	\	\	\	\	\	\	\	\	\	
28	28	8	8	5509	FIRST FSLA OF HIBBING 1741	HIBBING	MN	\	\	\	\	\	\	\	\	\	\	\	
29	29	8	8	4936	FIRST FSLA OF BRAINERD 1741	BRAINERD	MN	\	\	\	\	\	\	\	\	\	\	\	
30	30	8	8	6683	PEOPLES SLA, FA 1741	OWATONNA	MN	$1,085.83	$1,316.05	($294.72)	$251.34	$299.06	$414.61	27.54%	22.72%	101.47%	140.68%	118.99%	
31	31	8	8	2029	FIRST FEDERAL BANK, FSB 1740	SHENANDOAH	IA	\	\	\	\	\	\	\	\	\	\	\	
32	32	8	8	4399	WESTERN FSLA 1740	COUNCIL BLUFFS	IA	$47.02	$62.10	($18.29)	$12.21	$12.22	$19.31	25.99%	19.68%	66.81%	105.58%	100.08%	
33	33	8	11	7505	HOMESTATE SLA 1743	HAYWARD	CA	$182.24	$226.90	($44.78)	$41.46	$40.10	$65.16	22.00%	17.82%	89.56%	145.52%	96.72%	
34	34	8	12	1343	FIRST FSLA 1737	LONGVIEW	WA	$80.27	$84.77	($8.00)	$19.85	$14.20	$19.75	17.69%	16.75%	177.43%	246.78%	71.54%	
35	35	8	7	942	CAPITOL F S OF AMERICA 1739	EVERGREEN PARK	IL	$255.61	$259.31	($19.80)	$51.06	$16.75	$48.13	6.55%	6.46%	84.60%	243.11%	32.80%	
36	36	9	9	2803	FIRST FSB 1746	ROGERS	AR	$122.38	$139.33	($19.65)	$16.65	$24.44	$30.13	19.97%	17.56%	124.35%	153.30%	146.79%	
37	37	9	7	1015	FIDELITY FSLA OF DECATUR 1747	DECATUR	IL	$40.12	$43.52	($6.14)	$2.21	$3.61	$10.65	9.00%	8.29%	58.77%	173.37%	163.39%	
38	38	9	7	6409	LOVES PARK FSB 1751	LOVES PARK	IL	$41.55	$44.71	($5.13)	$1.56	$4.96	$10.34	11.96%	11.09%	95.65%	201.42%	317.95%	
39	39	9	6	754	ARSENAL, SA, FA 1752	INDIANAPOLIS	IN	$161.57	$175.76	($32.80)	$36.05	$35.00	$44.90	21.66%	19.91%	106.70%	136.89%	101.07%	
40	40	9	6	4076	FRANKTON FSLA 1753	FRANKTON	IN	$30.75	$33.65	($2.82)	$3.15	$0.00	$4.06	0.00%	0.00%	0.00%	171.75%	0.00%	
41	41	9	11	8240	BELL SLA, FSLA 1750	SAN MATEO	CA	$931.91	$1,404.96	($574.76)	$600.05	$565.77	$700.14	60.71%	40.27%	98.44%	121.81%	94.29%	
42	42	9	11	8239	BUTTERFIELD SLA, FSLA 1759	SANTA ANA	CA	$517.15	$660.60	($301.60)	$76.67	$281.17	$336.61	54.37%	42.56%	93.23%	111.61%	366.73%	
43	43	9	11	7348	ADOBE SB 1757	CONCORD	CA	$46.35	$47.27	($0.91)	$0.41	$2.95	$6.31	6.36%	6.24%	323.82%	692.45%	719.51%	
44	44	9	6	4472	CAPITAL FSLA 1758	GARY	IN	\	\	\	\	\	\	\	\	\	\	\	
45	45	9	6	2702	FIRST FSB OF INDIANA 1758	GARY	IN	$340.34	$347.30	($22.93)	$23.10	$28.75	$38.62	8.45%	8.20%	125.38%	168.43%	124.46%	
46	46	9	6	4007	CITIZENS FSLA OF NEW CASTLE [illegible]	NEW CASTLE	IN	$52.61	$55.09	($5.84)	$6.09	$5.66	$10.14	10.70%	10.16%	96.85%	173.81%	92.70%	
47	47	9	6	7135	UNITED SA OF CENTRAL INDIANA [illegible]	TIPTON	IN	$60.41	$63.68	($8.19)	$4.86	$8.38	$13.76	13.87%	13.16%	102.30%	167.87%	175.16%	
48	48	11	2	1590	LINCOLN FSLA 1762	WESTFIELD	NJ	$1,242.62	$1,312.12	($149.58)	$95.10	$145.69	$226.24	11.72%	11.10%	97.43%	148.99%	154.36%	
49	49	11	5	4453	SOUTHSIDE SLA 1764	LIMA	OH	$57.31	$68.23	($10.96)	$7.44	$10.30	$14.70	17.97%	15.09%	93.96%	134.10%	138.44%	
50	50	11	11	8315	FLAGSHIP FSLA 1763	SAN DIEGO	CA	$97.77	$104.65	($8.33)	$7.14	$23.79	$29.26	24.33%	22.74%	285.56%	351.22%	333.19%	

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FSLIC CASE RESOLUTIONS
JANUARY 1, 1988 - DECEMBER 31, 1988

07-Apr-89

NO.	NO.	MNTH RSLVD	DT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV COS	EST PV COL	COS/ ASSETS	COS/ LIAB	COS/ T-NW	COL/ T-NW	COL/ LIAB UNRSLVD CASES	Data CD
								|------$Millions------ Thrift monthly rprt prior to action|			$Millions CFO data	|-----$Millions----- Data from ABB costing							
51	51	11	2	1315	RELIANCE SLA 1761	RAHWAY	NJ	$61.95	$82.48	($20.54)	$20.62	$11.84	$25.14	19.11%	14.36%	57.63%	122.41%	61.37%	
52	52	12	4	3175	FIRST FSLA 1784	JACKSONVILLE	FL	\	\	\	\	\	\	\	\	\	\	\	
53	53	12	4	8390	SOUTH FLORIDA SAVINGS, FSLA	DAVIE 1784	FL	$1,342.33	$1,402.82	($105.63)	$19.10	$29.00	$234.48	2.16%	2.07%	27.45%	221.90%	151.20%	
54	54	12	4	8500	MC LEAN FSA 1772	MC LEAN	VA	$287.14	$369.96	($84.52)	$3.00	$66.44	$142.35	23.14%	17.96%	78.61%	168.67%	2211.72%	
55	55	12	4	8329	BEACH FSLA 1785	BOYNTON BEACH	FL	$1,156.76	$1,246.31	($1,041.38)	$73.67	$978.32	$1,026.93	84.58%	78.50%	93.96%	98.61%	1327.90%	
56	56	12	4	7637	BROWARD FSLA 1789	SUNRISE	FL	$549.69	$672.62	($115.98)	$95.43	$151.07	$184.72	27.48%	22.46%	130.26%	159.27%	156.30%	
57	57	12	5	1280	OHIO VALLEY SLA 1769	STEUBENVILLE	OH	\	\	\	\	\	\	\	\	\	\	\	
58	58	12	5	5712	FIRST [illegible] SB 1769	PIQUA	OH	$311.07	$360.01	($59.46)	$46.83	$90.74	$110.07	29.17%	25.20%	152.61%	185.12%	105.76%	
59	59	12	6	3657	FIRST DEARBORN, FA 1770	DEARBORN	MI	\	\	\	\	\	\	\	\	\	\	\	
60	60	12	6	7062	BLOOMFIELD SLA, FA 1770	BIRMINGHAM	MI	$869.68	$943.83	($148.97)	$137.38	$118.29	$251.06	13.60%	12.54%	79.41%	168.53%	86.15%	
61	61	12	7	6237	GLEN ELLYN SLA, FSLA 1771	GLEN ELLYN	IL	$68.48	$86.13	($18.17)	$17.50	$20.31	$35.67	29.66%	23.58%	111.78%	196.31%	116.06%	
62	62	12	7	9975	AMERICAN SB 1777	SPRINGFIELD	IL	$891.62	$966.51	($148.48)	$129.46	$187.09	$253.12	21.07%	19.40%	126.34%	170.47%	165.13%	
63	63	12	7	8443	LYONS SAVINGS, FSLA 1786	COUNTRYSIDE	IL	$1,485.83	$1,726.94	($241.05)	[illegible]	$385.11	$462.17	25.93%	22.33%	159.76%	191.73%	319.51%	
64	64	12	8	3057	UNITED FSLA 1791	ABERDEEN	SD	$95.44	$97.22	($5.33)	$0.26	$8.00	$13.05	8.38%	8.23%	150.09%	244.84%	3876.92%	
65	65	12	8	4707	MIDAMERICA SB 1765	WATERLOO	IA	$256.47	$261.52	($12.68)	$4.62	$14.00	$33.07	5.46%	5.35%	110.41%	260.80%	316.96%	
66	66	12	8	6601	FIRST FINANCIAL SB 1781	DES MOINES	IA	$262.35	$273.45	($47.70)	$0	$59.57	$75.51	22.71%	21.78%	124.88%	158.30%	0.00%	
67	67	12	8	5427	HOME FSLA OF SPENCER 1779	SPENCER	IA	\	\	\	\	\	\	\	\	\	\	\	
68	68	12	8	3754	NORTHWEST FSLA OF SPENCER 1779	SPENCER	IA	$170.05	$220.05	($74.36)	$21.61	$54.77	$79.37	32.21%	24.89%	73.66%	106.77%	253.45%	
69	69	12	10	5470	ROOKS COUNTY FSA 1768	PLAINVILLE	KS	$25.45	$40.83	($15.33)	$2.00	$19.53	$22.51	76.73%	47.83%	127.40%	146.84%	[illegible]	
70	70	12	10	[illegible]	[illegible] (See note below)	OKLAHOMA CITY	OK	$315.44	$314.51	($35.84)	$0	$78.35	$113.85	24.84%	24.91%	218.62%	317.66%	0.00%	
72	72	12	10	8517	COMMUNITY (See note below)	TULSA	OK	$541.89	$541.43	($40.79)	$0	$89.02	$145.19	16.43%	16.44%	218.24%	355.95%	0.00%	
74	74	12	11	7633	COLUMBUS SLA 1783	SAN RAFAEL	CA	\	\	\	\	\	\	\	\	\	\	\	
75	75	12	11	8351	CAL AMERICA SLA, FSLA 1783	WALNUT CREEK	CA	\	\	\	\	\	\	\	\	\	\	\	
76	76	12	11	8505	FIRST SECURITY SB 1783	PLEASANT HILL	CA	$557.72	$777.77	($221.49)	$164.55	$243.27	$320.40	43.62%	31.28%	109.83%	144.66%	147.04%	
77	77	12	11	8257	BEVERLY HILLS SAVINGS, FSLA	BEVERLY HILLS	CA	$1,190.00	$1,819.43	($1,000.50)	$431.13	$983.12	$1,101.20	82.61%	54.03%	98.26%	110.06%	220.03%	
78	78	12	11	8390	TAHOE SLA, FSLA 1787	SOUTH LAKE TAHOE	CA	$46.76	$80.50	($33.73)	$20.09	$33.79	$41.59	72.26%	41.98%	100.18%	123.30%	168.19%	

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NO.	NO.	DATE RSLVD	DT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV CDD	EST PV CDL	CDD/ ASSETS	CDD/ LIAB	CDD/ T-NW	CDL/ T-NW	CDD/ LIAB UNRSLVD CASES	Data CD
								----$millions---- Thrift monthly rpt prior to action			----$millions---- CFO data	----$millions---- Data from ADD costing							
79	79	12	12	2570	AMERICAN HOME SAVINGS, FSB	SALEM 1767	OR	$486.83	$470.31	($98.07)	$64.17	$113.10	$160.60	27.96%	23.65%	115.30%	163.73%	176.25%	
80	80	12	12	2902	COMMUNITY FIRST FED SAVINGS	VANCOUVER 1767	WA	$380.90	$396.68	($58.65)	$1	$54.37	$81.02	14.16%	13.70%	92.70%	138.14%	0.00%	
81	81	12	12	3406	ROCKY MOUNTAIN FSLA	CHEYENNE 1774	WY	\	\	\	\	\	\	\	\	\	\	\	
82	82	12	12	6001	UNITED SB OF WYOMING, FSB	CHEYENNE 1774	WY	$595.69	$615.26	($116.75)	$45.00	$146.79	$201.02	29.03%	23.04%	127.92%	175.08%	326.20%	
83	83	12	12	1371	JACKSON COUNTY FSLA	MEDFORD 1778	OR	$275.47	$330.30	($43.13)	$65.90	$62.50	$86.70	22.69%	18.92%	99.06%	137.34%	72.00%	
					SUBTOTAL SWP Mergers and Acquisitions			$21,485.36	$25,093.51	($4,082.31)	$3,490.57	$6,280.13	$8,355.51	29.07%	25.03%	104.63%	139.21%	179.51%	
84	84	12	10	8546	MILE HIGH 1780	DENVER	CO	\	\	\	\	\	\	\	\	\	\	\	
85	85	12	10	5091	COLUMBIA FSLA 1780	ENGLEWOOD	CO	\	\	\	\	\	\	\	\	\	\	\	
86	86	12	5	1917	CARDINAL FED 1780	CLEVELAND	OH	\	\	\	\	\	\	\	\	\	\	\	
87	87	12	7	5310	PATRIOT FINANCIAL, FA 1780	CHICAGO	IL	$7,943.45	$8,469.06	($830.63)	$274.36	$1,645.58	$2,430.67	20.72%	19.43%	198.11%	292.63%	999.83%	
88	88	12	11	8523	AMERICAN SAVINGS 1776	STOCKTON	CA	$30,142.05	$29,872.86	($1,336.03)	$1,575.00	$1,699.00	$3,333.00	5.64%	5.69%	127.17%	249.47%	107.07%	
					TOTAL SWP Mergers and Acquisitions			$59,490.86	$63,435.61	($6,168.97)	$5,347.91	$9,624.71	$14,119.18	16.12%	15.17%	117.02%	172.04%	179.97%	

Note: Arrowhead and Community were the result of the consolidation of two institutions each under the Oklahoma Plan. As such each represented two institutions on the FSLIC case list and now count as two resolutions each.

Expedited Case Processing

NO.	NO.	DATE RSLVD	DT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV CDD	EST PV CDL	CDD/ ASSETS	CDD/ LIAB	CDD/ T-NW	CDL/ T-NW	CDD/ LIAB UNRSLVD CASES	Data CD
89	1	8	12	6484	MERIDIAN FSLA 1742	BOISE	ID	$26.50	$29.40	($2.95)	$0.17	$2.39	$5.07	9.02%	8.11%	80.96%	198.03%	1405.00%	
90	2	9	4	5980	CITIZENS FSLA 1745	JACKSONVILLE	FL	$59.32	$62.55	($6.02)	$3.99	($0.50)	$12.91	-0.04%	-0.80%	-6.23%	160.95%	-12.53%	
91	3	9	4	6524	COOSA FSLA 1748	GADSDEN	AL	$76.56	$79.22	($9.80)	$4.36	$12.95	$15.33	16.91%	16.35%	142.90%	169.17%	203.62%	

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NO.	NO.	Date DSLVD	DT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNDSLVD CASES	EST PV CDR	EST PV CDL	CDR/ ASSETS	CDR/ LIAB	CDR/ T-NW	CDL/ T-NW	CDR/ LIAB UNDSLVD CASES	Data CD
								$Millions (Thrift monthly rprt prior to action)			$Millions (CPD data)	$Millions (Data from ABD costing)							
92	4	9	12	8243	FREEDOM FSLA 1749	CORVALLIS	OR	$306.96	$333.06	($26.58)	$37.25	$29.28	$45.16	9.54%	8.79%	110.16%	169.90%	78.60%	
93	5	10	5	790	FIRST FSLA 1759	MAYFIELD	KY	$51.45	$74.33	($22.87)	$15.50	$25.20	$28.01	48.98%	33.90%	110.19%	122.47%	162.58%	
94	6	10	5	1115	PEOPLES FSB 1760	WOOSTER	OH	$368.55	$376.33	($35.20)	$28.66	$34.90	$67.06	9.47%	9.27%	99.15%	190.47%	121.77%	
95	7	12	4	3339	FIRST FSLA 1775	COLUMBUS	GA	$254.59	$265.45	($10.87)	$5.21	$4.88	$30.82	1.92%	1.84%	44.89%	283.53%	93.74%	
96	8	12	6	3461	VIRGINIA FSLA 1773	RICHMOND	VA	$685.20	$699.47	($30.21)	$21.93	$13.50	$102.96	1.97%	1.93%	44.69%	340.81%	61.56%	
97	9	12	7	4867	PEORIA SLA 1788	PEORIA	IL	$176.35	$177.63	($10.78)	$8.57	$17.44	$30.25	9.89%	9.83%	161.78%	280.61%	203.55%	
98	10	12	12	7579	EASTERN WASHINGTON, SLA 1766	EAST WENATCHEE	WA	$50.16	$51.48	($1.31)	$0	$1.97	$8.70	3.93%	3.83%	150.38%	664.12%	0.00%	
99	11	12	12	1029	GREAT FALLS FSLA 1792	GREAT FALLS	MT	$128.97	$131.98	($10.07)	$9.55	$11.42	$22.86	8.85%	8.65%	113.41%	227.01%	119.58%	
					TOTAL Expedited Cases			$2,186.69	$2,280.77	($167.93)	$137.18	$153.43	$372.73	7.02%	6.73%	91.37%	221.96%	111.84%	
					Southwest Plan														
					[illegible] PKG/COASTAL														
100	1	5	9	7082	ALLIANCE SLA 1794	HOUSTON	TX	$97.80	$154.13	($56.34)	$41.55								
101	2	5	9	7480	CAMERON COUNTY SA 1794	SAN BENITO	TX	27.96	28.13	($0.32)	$0.12								
102	3	5	9	3679	COLORADO COUNTY FSLA 1794	COLUMBUS	TX	221.09	231.40	($15.55)	$10.95								
103	4	5	9	6461	SECURITY SLA 1794	DICKINSON	TX	109.42	135.05	($26.12)	$11.73								
					Total Coastal			$456.27	$548.00	($98.33)	$64.35	$146.23	$154.80	32.05%	26.68%	148.72%	157.44%	227.24%	
104	5	5	9	7720	BLUEBONNET SA OF TEXAS 1730	HEMPSTEAD	TX	$26.31	$29.70	($5.47)	$8.52	$9.47	$9.85	35.96%	31.88%	173.16%	180.11%	111.15%	
					[illegible] PKG/SOUTHWEST														
105	6	5	9	218	LAMAR SA 1795	AUSTIN	TX	$1,913.56	$2,258.96	($409.53)	$307.07								
106	7	5	9	5673	BRIERCROFT SA 1795	LUBBOCK	TX	$874.37	$899.50	($37.98)	$27.50								
107	8	5	9	6119	CITY SLA 1795	SAN ANGELO	TX	$690.42	$918.79	($266.52)	$206.66								
108	9	5	9	6152	STOCKTON SA 1795	MADISON	TX	$616.01	$960.90	($361.97)	$300.09								

FILE:DSLVC?88

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3=CDG & CDL not confirmed

FSLIC CASE RESOLUTIONS

JANUARY 1, 1988 - DECEMBER 31, 1988

07-Apr-89

NO.	NO.	Mnth DSLVD	BY	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV CDG	EST PV CDL	CDG/ ASSETS	CDG/ LIAB	CDG/ T-NW	CDL/ T-NW	CDG/ LIAB UNRSLVD CASES	Data CD
								$millions Thrift monthly rpt prior to action			$millions CFG data	$millions Data from ADD costing							
					Total Southwest			$4,093.96	$5,064.16	($1,076.00)	$1,012.20	$2,115.29	$2,240.90	51.67%	41.92%	196.59%	209.00%	208.90%	
					LIBD PEG/MERABANK														
109	10	6	9	8273	BROWNFIELD SLA 1799	BROWNFIELD	TX	$39.77	$49.00	($13.75)	$5.69								
110	11	6	9	6200	FIRST FINANCIAL SA 1799	EL PASO	TX	$335.09	$330.04	($52.00)	$37.81								
111	12	8	9	8274	STATE OF LUBBOCK SA 1799	LUBBOCK	TX	$434.29	$962.26	($596.70)	$418.14								
					Total Merabank			$809.15	$1,330.10	($662.60)	$461.64	$840.76	$886.85	103.90%	63.21%	130.00%	133.04%	182.12%	
					IBIS PEG/LONE STAR & GIBSON GROUP														
112	13	8	9	7665	AMERICAN BANK SA 1797	DALLAS	TX	$62.12	$72.46	($15.36)	$10.78								
113	14	8	9	7230	BEN MILAM SLA 1797	DALLAS	TX	$156.20	$337.58	($101.39)	$135.00								
114	15	8	9	3376	COMMERCE FSLA 1797	COMMERCE	TX	$31.63	$32.78	($3.29)	$3.06								
115	16	8	9	2526	GLADEWATER FSLA 1797	GLADEWATER	TX	$26.73	$35.71	($11.32)	$9.37								
116	17	8	9	5490	IRVING SA 1797	IRVING	TX	$57.68	$125.94	($68.45)	$59.06								
117	18	8	9	7210	LONGVIEW SLA 1797	LONGVIEW	TX	$147.46	$183.50	($48.90)	$50.00								
118	19	8	9	5076	MAJESTIC SA 1797	MCKINNEY	TX	$240.89	$351.48	($108.68)	$22.51								
119	20	8	9	6505	MERCURY SA OF TEXAS 1797	WICHITA FALLS	TX	$322.39	$585.05	($263.45)	$102.51								
120	21	8	9	7420	PARIS SLA 1797	PARIS	TX	$264.08	$430.52	($166.45)	$59.18								
121	22	8	9	6202	RICHARDSON SLA 1797	DALLAS	TX	$706.02	$851.09	($177.20)	$82.72								
122	23	8	9	7576	SKYLINE SA 1797	DALLAS	TX	$114.73	$125.08	($11.56)	$1								
123	24	8	9	9691	SOUTHLAND SA 1797	LONGVIEW	TX	$31.87	$35.31	($6.31)	$3.19								
					Total Lone Star & Gibson Group			$2,160.50	$3,160.98	($1,062.22)	$628.33	$1,326.77	$1,346.29	61.10%	41.87%	124.91%	145.37%	211.16%	
					GUL PEG/PLATE														
112	25	9	9	8291	ALLENPARK FSLA 1804	HOUSTON	TX	$171.57	$199.48	($28.91)	$13.07								
113	26	9	9	2687	BAY CITY FSLA 1804	BAY CITY	TX	$133.38	$172.16	($39.64)	$8.63								

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months prior to resolution

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FSLIC CASE RESOLUTIONS
JANUARY 1, 1988 - DECEMBER 31, 1988

07-Apr-89

NO.	NO. DSLVD	DI	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV CDS	EST PV CDL	CDS/ ASSETS	CDL/ LIAB	CDS/ T-NW	CDL/ T-NW	CDL/ LIAB UNRSLVD CASES	Data CD
							---------$millions---------			$millions	---------$millions---------							
							Thrift monthly rprt prior to action			CFO data	Data from AED costing							
114	27	9	9	8261 HEIGHTS SA 1804	HOUSTON	TX	$278.45	$471.75	($227.19)	$268.95								
115	28	9	9	6283 GULF COAST SA 1804	RICHMOND	TX	$56.93	$71.76	($12.83)	$2.67								
116	29	9	9	8886 CHAMPION 1805	HOUSTON	TX	$661.75	$1,032.63	($370.90)	$395.62								
				Total Pulte			$1,304.27	$1,947.77	($679.46)	$648.34	$1,102.83	$1,281.06	86.49%	56.58%	162.19%	188.34%	172.18%	
				NEW PKG/CLUB CORP														
117	30	9	9	6151 CREDITBANC SA 1807	AUSTIN	TX	$630.01	$863.03	($522.79)	$81.49								
118	31	9	9	7010 FRANKLIN SA 1807	AUSTIN	TX	$396.10	$740.64	($355.06)	$233.99								
119	32	9	9	5231 GREATWEST SAV BANC 1807	AUSTIN	TX	$176.72	$282.67	($31.13)	$8.92								
				Total Club Corp			$1,210.82	$1,886.34	($709.76)	$324.40	$1,108.27	$1,111.46	91.53%	61.35%	156.15%	156.60%	341.64%	
				LILY PKG/TEMPLE-INLAND, TRAMMELL CROW & HAROLD WEST														
120	33	9	9	5450 DELTA SA OF TEXAS 1806	ALVIN	TX	$201.11	$333.90	($144.36)	$42.80								
121	34	9	9	2870 FIRST FSLA 1806	AUSTIN	TX	$1,058.54	$1,171.56	($131.30)	$1								
122	35	9	9	8868 GUARANTY FSLA 1806	DALLAS	TX	$1,791.74	$2,664.90	($1,018.10)	$248.64								
				Total Temple-Inland, Trammell Crow & Ranger Best			$3,051.39	$4,170.36	($1,293.76)	$291.44	$1,760.72	$2,263.02	57.70%	42.22%	136.09%	174.98%	605.14%	
				DUCK PKG/ADAM CORP														
123	36	10	9	5600 BANC HOME SA 1808	MIDLAND	TX	$600.50	$712.38	($137.96)	$105.90								
124	37	10	9	5570 SOUTHWEST SLA 1808	ABILENE	TX	$160.96	$366.44	($213.12)	$203.65								
125	38	10	9	7525 HEART O TEXAS SA 1808	SAN SABA	TX	$270.61	$278.02	($11.04)	$8.32								
126	39	10	9	5183 ODESSA SA 1808	ODESSA	TX	$135.20	$157.54	($25.41)	$12.36								
127	40	10	9	7082 PETROPLEX SA 1808	MIDLAND	TX	$113.92	$183.21	($72.22)	$67.49								
128	41	10	9	4258 SAN ANGELO SA 1808	SAN ANGELO	TX	$127.15	$196.76	($72.22)	$29.32								
129	42	10	9	6347 SOUTHERN SLA 1808	BROWNWOOD	TX	$155.05	$202.00	($49.97)	$45.43								
130	43	10	9	7660 SHAMROCK FSLA 1808	SHAMROCK	TX	$102.38	$122.76	($20.74)	$12.23								

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FILE:RSLVCTRD

FSLIC CASE RESOLUTIONS
JANUARY 1, 1988 - DECEMBER 31, 1988

07-Apr-89

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3=COS & COL not confirmed data

NO.	NO.	RSLVD	BY	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS (Thrift monthly rprt prior to action, $Millions)	LIAB.	TANG N.W.	LIAB UNRSLVD CASES (CFO data, $Millions)	EST PV COS (Data from AED meeting, $Millions)	EST PV COL	COS/ ASSETS	COS/ LIAB	COS/ T-NW	COL/ T-NW	COS/ LIAB UNRSLVD CASES	Data CD
131	44	10	9	138	SECURITY 1809	PAMPA	TX	$432.56	$430.30	($42.28)	$39.67								
132	45	10	9	3276	FIRST FSLA 1808	AMARILLO	TX	$230.02	$256.54	($42.42)	$35.00								
133	46	10	9	31	OLNEY SA 1808	OLNEY	TX	$1,343.49	$1,391.00	($67.47)	$0.00								
					Total Adam Corp			$3,677.36	$4,305.05	($754.85)	$560.15	$1,409.72	$1,482.67	40.31%	34.48%	197.35%	222.91%	265.95%	
					7150 PVS/AMERICITY FSB														
134	47	11	9	7313	TESORO SLA 1809	LAREDO	TX	$251.00	$385.44	($132.88)	$23.41	$160.79	$190.27	64.06%	41.69%	121.74%	150.12%	686.84%	
					7000 PVS/S/D ACQUISITION GROUP														
135	48	12	9	1636	MINERAL WELLS SLA 1810	MINERAL WELLS	TX	$31.50	$33.46	($3.60)	$193.35								
136	49	12	9	2874	HOME SLA	LUFKIN	TX	$282.05	$427.51	($161.60)	$86.20								
137	50	12	9	3027	MESQUITE SLA	MESQUITE	TX	$46.76	$50.00	($6.19)	$1.72								
138	51	12	9	3107	FIRST WESTERN SLA	COLORADO CITY	TX	$86.40	$118.24	($33.11)	$0								
139	52	12	9	3110	COMMODORE SA	DALLAS	TX	$461.79	$1,170.82	($709.20)	$299.48								
140	53	12	9	3323	LAMESA FSLA	LAMESA	TX	$88.10	$88.50	($0.41)	$0								
141	54	12	9	3547	FIRST FSLA	BIG SPRING	TX	$129.57	$152.62	($25.16)	$6.61								
142	55	12	9	6302	SENTRY SA	SLATON	TX	$86.83	$164.40	($78.76)	$44.87								
143	56	12	9	6327	VISTA SA	ODESSA	TX	$126.90	$169.06	($58.86)	$47.55								
144	57	12	9	6760	INTERWEST SA	FORT WORTH	TX	$102.14	$190.31	($95.62)	$44.31								
145	58	12	9	6782	SOUTHERN FED BANC SLA	LANCASTER	TX	$89.49	$194.53	($105.06)	$49.46								
146	59	12	9	7182	RELIANCE SA	HOUSTON	TX	$33.78	$57.87	($26.24)	$9.35								
147	60	12	9	7423	NORTHPARK SA	RICHARDSON	TX	$125.95	$197.56	($76.20)	$10.35								
148	61	12	9	8134	METROPLEX FSA	HURST	TX	$64.26	$76.14	($11.89)	$0								
149	62	12	9	8270	HI-PLAINS SLA, FSLA	HEREFORD	TX	$47.25	$113.00	($77.33)	$41.25								
					Total			$1,803.78	$3,205.24	($1,449.28)	$812.70	$1,846.25	$2,117.08	102.35%	57.60%	125.46%	146.09%	227.18%	

FILE:RSLVCY88

FSLIC CASE RESOLUTIONS
JANUARY 1, 1988 - DECEMBER 31, 1988

07-Apr-89

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NO.	NO.	MNTH RSLVD	DT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV COS	EST PV COL	COS/ ASSETS	COS/ LIAB	COS/ T-NW	COL/ T-NW	COL/ LIAB UNRSLVD CASES	Data CD
								|-----------$millions-----------		(thrift monthly rprt prior to action)	$millions CFO data	$millions (Data from ARD costing)							
					PEAR-1 PKG/FORD, MCANDREWS & FORBES														
150	63	12	9	55	GIBRALTAR SA 1811	HOUSTON	TX	$6,429.98	$6,360.96	($474.36)	$1								
151	64	12	9	1236	FIRST TEXAS SA	DALLAS	TX	$3,100.57	$3,703.54	($822.38)	$313.36								
152	65	12	9	5512	KILLEEN SLA	KILLEEN	TX	$123.16	$277.65	($145.56)	$54.40								
153	66	12	9	5484	HOME SA	HOUSTON	TX	$563.31	$605.50	($123.32)	$82.24								
154	67	12	9	8156	MONTFORT SA, FSA	DALLAS	TX	$1,228.79	$1,253.67	($25.70)	$0.00								
						Total		$11,406.01	$12,209.38	($1,591.32)	$450.00	$5,033.62	$6,022.31	44.14%	41.23%	316.32%	428.72%	1110.58%	
					PEAR 2-8 PKG/PACIFIC ELEC WIRE CO														
155	68	12	9	2599	FIRST FSLA 1812	LULING	TX	$30.26	$48.95	($19.34)	$10.15								
156	69	12	9	3402	YOAKUM FSLA	YOAKUM	TX	$44.28	$50.91	($6.63)	$3.91								
157	70	12	9	4121	SEGUIN SA	SEGUIN	TX	$127.79	$170.25	($49.47)	$20.96								
158	71	12	9	7085	CHARTER SLA	CORPUS CHRISTI	TX	$306.27	$504.02	($229.42)	$40.23								
159	72	12	9	7543	UNION SA	GOLIAD	TX	$91.31	$97.53	($10.05)	$3.96								
160	73	12	9	7770	INDEPENDENCE SLA	GONZALES	TX	$58.19	$76.32	($16.14)	$5.71								
161	74	12	9	8075	KEYSTONE SLA	LAMPASAS	TX	$30.31	$38.70	($10.22)	$1.69								
162	75	12	9	8129	BAYVIEW FSA	CORPUS CHRISTI	TX	$66.38	$76.32	($12.35)	$1								
						Total		$832.70	$1,150.99	($353.60)	$86.57	$706.19	$741.36	84.80%	61.35%	199.71%	209.65%	815.76%	
					LAND PKG/CENTEX CORP														
163	76	12	9	7101	PEOPLES SLA 1813	LLANO	TX	$162.18	$392.80	($232.62)	$67.95								
164	77	12	9	7478	BURNET SLA	BURNET	TX	$29.62	$33.76	($5.22)	$2.74								
165	78	12	9	7681	LEE SA	GIDDINGS	TX	$68.33	$100.15	($30.71)	$9.33								
166	79	12	9	7821	RANCHERS SA	JOHNSON CITY	TX	$57.86	$117.56	($61.37)	$35.19								
						Total		$317.99	$651.42	($330.92)	$115.21	$3[illegible].00	$463.69	107.08%	52.62%	101.16%	136.01%	297.54%	

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FILE:RSLVCTOR

FSLIC CASE RESOLUTIONS

JANUARY 1, 1988 - DECEMBER 31, 1988

07-Apr-89

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3=COS & COL not confirmed

NO.	NO.	MNTH RSLVD	BY	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV COS	EST PV COL	COS/ ASSETS	COS/ LIAB	COS/ T-NW	COL/ T-NW	COL/ LIAB UNRSLVD CASES	Data CD
								$Millions (Thrift monthly rpt prior to action)			$Millions CFO data	$Millions (Data from AED costing)							
					UNITED/HYPERION PTNRS & UNITED HOLDINGS														
167	88	12	9	4430	UNITED SA OF TEXAS 1815	HOUSTON	TX	$4,412.78	$7,402.44	($512.69)	$0	$1,373.73	$1,492.06	31.13%	18.56%	267.95%	291.02%	0.00%	
					TOTAL Southwest Plan			$35,819.31	$47,358.27	($10,740.35)	$5,479.26	$19,362.62	$23,020.41	54.06%	40.89%	180.28%	214.34%	353.38%	
					TOTAL MERGERS & ACQUISITIONS			$97,686.78	$113,076.44	($19,077.24)	$10,964.35	$29,140.76	$37,512.32	29.83%	25.77%	152.75%	196.63%	265.70%	
					INSURANCE ACTIONS														
168	1	1	9	7229	FIRST SA OF EAST TEXAS	SAN AUGUSTINE	TX	$61.67	$134.03	($72.36)	$87.99	$87.99	$87.99	142.68%	65.65%	121.60%	121.60%	100.00%	
169	2	1	12	8272	CITIZENS SLA, A FSLA	SALEM	OR	$159.33	$236.92	($152.73)	$161.27	$161.27	$161.27	101.39%	59.63%	106.63%	106.63%	100.00%	
170	3	1	10	7872	TERRITORY SLA	SEMINOLE	OK	$31.22	$73.00	($41.86)	$46.19	$46.19	$46.19	147.95%	63.28%	110.34%	110.34%	100.00%	
171	4	2	11	7790	MT WHITNEY SLA	EXETER	CA	$36.18	$78.53	($42.47)	$46.38	$46.38	$46.38	128.19%	59.06%	109.21%	109.21%	100.00%	
172	5	2	11	8350	RANCHO SLA	ORANGE	CA	$49.07	$115.50	($66.43)	$76.34	$76.34	$76.34	155.57%	66.10%	114.92%	114.92%	100.00%	
173	6	3	5	4062	FIRST FSLA	PADUCAH	KY	$129.89	$167.82	($39.03)	$52.34	$52.34	$52.34	40.30%	31.19%	134.09%	134.09%	100.00%	
174	7	3	10	8619	INVESTORS SLA, A FSLA	EL RENO	OK	$81.53	$109.15	($37.62)	$40.74	$40.74	$40.74	49.97%	37.32%	108.29%	108.29%	100.00%	
175	8	3	10	8623	UNITED SA, A FSLA	DURANT	OK	$82.71	$107.48	($25.80)	$44.11	$44.11	$44.11	53.33%	41.04%	170.97%	170.97%	100.00%	
176	9	4	10	1620	FIRST FSLA	SHAWNEE	OK	$133.05	$161.03	($30.33)	$29.88	$55.76	$55.76	41.91%	34.63%	183.85%	183.85%	186.61%	
177	10	4	6	381	AMERICAN FSLA	ANDERSON	IN	$156.35	$195.25	($50.82)	$32.63	$67.22	$67.22	42.99%	34.43%	132.27%	132.27%	206.01%	
178	11	5	4	8290	CARDINAL SB, INC	NEWPORT	NC	$93.62	$119.51	($25.89)	$0	$34.37	$34.37	36.71%	28.76%	132.75%	132.75%	0.00%	
179	12	6	5	2712	LARUE FSLA	HODGENVILLE	KY	$13.08	$16.58	($4.09)	$5.11	$6.86	$6.86	52.45%	41.38%	167.53%	167.53%	134.25%	
180	13	6	11	8375	NORTH AMERICA SLA, A FSLA	SANTA ANA	CA	$95.03	$212.61	($120.11)	$66.17	$133.22	$133.22	140.19%	62.66%	110.91%	110.91%	201.33%	
181	14	6	11	7726	AMERICAN DIVERSIFIED SB	LODI	CA	$486.01	$1,164.91	($679.11)	$631.17	$797.59	$797.59	164.10%	68.47%	117.45%	117.45%	126.37%	
182	15	7	11	8238	FARMERS SAVINGS, A FSLA	DAVIS	CA	$159.17	$333.87	($195.96)	$119.96	$198.96	$198.96	124.99%	59.59%	101.53%	101.53%	165.87%	
183	16	7	10	1674	THE AMERICAN FSLA	ARDMORE	OK	$66.41	$169.19	($97.06)	$71.69	$111.77	$111.77	168.30%	66.06%	115.16%	115.16%	155.91%	
184	17	7	10	8378	UNIVERSAL SA, A FSLA	CHICKASHA	OK	$55.01	$85.36	($30.56)	$29.78	$35.76	$35.76	65.01%	41.89%	117.03%	117.03%	120.08%	

11

FILE:RSLVCY88
Data codes:
1=Data not confirmed
2=Assets, Liab & Tang NW from thrift report two months prior to resolution
3=COR & COL not confirmed data

FSLIC CASE RESOLUTIONS
JANUARY 1, 1988 - DECEMBER 31, 1988

07-Apr-89

NO.	NO.	RSLVD	DT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV COR	EST PV COL	COR/ ASSETS	COR/ LIAB	COR/ T-NW	COL/ T-NW	COR/ LIAB UNRSLVD CASES	Data CD
								---$Millions--- (thrift monthly rpt prior to action)			$Millions (CFO data)	$Millions (Data from AED costing)							
105	18	7	30	8395	VICTOR SLA (See note below)	MUSKOGEE	OK	$230.29	$414.09	($183.80)	$126.83	$0.00	$0.00	0.00%	0.00%	0.00%	0.00%	0.00%	
106	19	9	6	7815	ULTIMATE SB, FSB	RICHMOND	VA	$106.63	$214.61	($30.09)	$7.10	$35.75	$35.75	30.28%	25.90%	105.28%	105.28%	785.21%	
107	20	9	12	7725	PEOPLES SLA	LA GRANDE	OR	$19.67	$32.07	($12.56)	$8.34	$15.72	$15.72	79.92%	49.02%	125.16%	125.16%	188.49%	
108	21	10	6	8271	REGENCY SB, FSB	ANN ARBOR	MI	$136.55	$171.16	($34.51)	$30.67	$52.47	$52.47	38.43%	30.66%	152.04%	152.04%	176.49%	
109	22	10	3	7976	LIBERTY FSB	BATON	OH	$130.43	$180.32	($51.25)	$10.27	$79.85	$79.85	61.22%	44.28%	155.80%	155.80%	777.51%	
110	23	11	9	7572	CENTRAL ARKANSAS SLA	CONWAY	AR	$9.96	$12.28	($2.43)	$1.28	$3.49	$3.49	35.03%	28.61%	143.39%	143.39%	272.66%	
111	24	11	6	7863	CYPRESS SA	PLANTATION	FL	$172.99	$207.98	($35.40)	$0	$96.34	$96.34	54.66%	45.36%	266.47%	266.47%	0.00%	
112	25	11	30	8382	KEY SLA, FSLA	ENGLEWOOD	CO	$145.43	$252.68	($107.25)	$109.10	$131.24	$131.24	90.24%	51.94%	122.37%	122.37%	120.19%	
113	26	11	9	8430	TWIN CITY SAVINGS, A FSA	WEST MONROE	LA	$67.75	$215.95	($143.66)	$52.60	$176.66	$176.66	260.76%	81.82%	122.97%	122.97%	335.86%	
					TOTAL INSURANCE ACTIONS			$2,965.22	$5,161.85	($2,293.42)	$1,865.43	$2,586.37	$2,586.37	87.22%	49.91%	112.77%	112.77%	138.65%	
					TOTAL JAN 1 - DEC 31, 1988 RESOLUTIONS			$100,660.00	$110,256.30	($21,370.66)	$12,829.78	$31,727.13	$40,098.69	31.52%	28.83%	148.46%	187.63%	247.29%	

Note: Victor SLA transferred to Cimmarron. For costs see Stabilized actions.

FILE:RSLVFY88
07-Apr-89

FSLIC CASE RESOLUTIONS
OCTOBER 1, 1987 - SEPTEMBER 30, 1988

SUMMARY

	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV COR	EST PV COL	COR/ ASSETS	COR/ LIAB	COR/ T-NW	COL/ T-NW	COR/ LIAB UNRSLVD CASES
	|------------$Millions			$Millions	$Millions						
	|Data from report prior to action|			| CFO data	||Data from ASD costing						
42 TOTAL [illegible] Mergers and Acquisitions	$11,518.13	$13,355.95	($2,647.78)	$2,198.38	$2,770.27	$3,678.36	24.05%	20.74%	104.63%	138.92%	126.01%
4 TOTAL Expedited Cases	$469.36	$504.31	($46.61)	$47.77	$44.12	$79.27	9.40%	8.75%	94.65%	170.05%	92.36%
35 TOTAL Southwest Plan	$13,118.75	$18,048.20	($5,587.61)	$3,431.22	$8,409.52	$9,503.01	64.10%	46.59%	150.50%	170.07%	245.09%
102 TOTAL MERGERS & ACQUISITIONS	$25,106.22	$31,908.46	($8,282.00)	$5,677.37	$11,223.91	$13,260.62	44.71%	35.18%	135.52%	160.11%	197.70%
24 TOTAL INSURANCE ACTIONS	$3,554.87	$6,161.57	($2,771.27)	$1,801.46	$3,433.52	$3,433.52	96.59%	55.72%	123.90%	123.90%	190.60%
126 TOTAL OCT 1, 1987 - SEP 30, 1988 RESOLUTIONS	$28,661.08	$38,070.03	($11,053.27)	$7,478.83	$14,657.43	$16,694.14	51.14%	38.50%	132.61%	151.03%	195.99%

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FILE:RSLVFY88                                                      FSLIC CASE RESOLUTIONS
Data codes:                                                  OCTOBER 1, 1987 - SEPTEMBER 30, 1988                                                  07-Apr-89
    1=Data not confirmed
    2=Assets, Liab & Tang NW from thrift report two     ||                                      LIAB                 ||                                        ||
       months prior to resolution                       ||                          TANG      UNRSLVD    EST     EST ||                                   CDS/ ||
    3=CDS & COL not confirmed                           ||      ASSETS     LIAB.    N.W.       CASES   PV CDS  PV COL ||                                   LIAB ||
        MNTH                                            || |----------$Millions--------------$Millions--------$Millions---||| CDS/    CDS/     CDS/      COL/  UNRSLVD || Data
NO. NO. RSLVD DI DOCKET  INSTITUTION NAME        CITY     STATE|| |thrift monthly rpt prior to action| CFO data |Data from AED costing ||| ASSETS  LIAB    T-NW      T-NW   CASES || CD
.................................................................................................................................................................................
                  MERGERS AND ACQUISITIONS
                  ***[illegible] Mergers and Acquisitions***             ||                                                          ||                                        ||
  1  1  10  9 2365 FIRST FSLA              NATCHITOCHES  LA  ||   $51.56    $70.09   ($21.99)   $87.10   $22.13   $25.44 ||  42.92%  31.57%  100.64%  116.69%  25.38%||
  2  2  11  6 6909 GULF FSLA               MOBILE        AL  ||    $6.12     $6.60    ($0.48)   $1.87    $0.46    $0.68 ||   7.51%   6.97%   96.03%  141.96%  24.60%||
  3  3  11  7 3626 ARGO FSLA               SUMMIT        IL  ||   $25.72    $29.96    ($4.24)  $24.35    $3.95    $5.47 ||  15.36%  13.19%   93.16%  129.01%  16.22%||
  4  4  12  4 5290 SURETY FSLA             MORGANTON     NC  ||  $125.08   $134.16    ($8.87)  $12.70    $0.00   $13.37 ||   0.00%   0.00%    0.00%  150.66%   0.00%||
  5  5  12  4 1009 AMERICAN FSLA           LYNCHBURG     VA  ||  $195.42   $213.82   ($30.94)  $13.70   $35.00   $51.86 ||  17.91%  16.37%  113.14%  167.64% 255.47%||
  6  6  12  5  760 COMMUNITY FSLA          HAMILTON      OH  ||  $410.65   $418.52   ($27.12)  $11.21   $21.87   $39.68 ||   5.32%   5.23%   80.64%  146.31% 195.09%||
  7  7  12  7 6757 GIBSON FSLA             GIBSON CITY   IL  ||  $136.31   $159.10   ($30.66)  $22.61   $36.50   $40.90 ||  26.78%  22.94%  119.06%  133.41% 161.43%||
  8  8  12  8 2716 BOONE COUNTY FSLA       CENTRALIA     MO  ||   $19.88    $20.81    ($2.06)   $9.34    $2.34    $2.91 ||  11.80%  11.25%  114.93%  142.93%  25.05%||
  9  9  12  9 7108 FIRST FSB               SLIDELL       LA  ||   $47.66    $55.36    ($8.14)  $10.63   $10.92   $13.00 ||  22.92%  19.72%  134.09%  159.63% 102.73%||
 10 10  12  9 8250 RIVERSIDE FSA           PINE BLUFF    AR  ||  $880.25   $943.42   ($63.19)   $0.00   $90.78   $89.61 ||  10.31%   9.62%  143.67%  141.81%    ERR ||
 11 11  12  9 1617 FIRST FINANCIAL BANK    NEW ORLEANS   LA  ||  $756.12   $880.07  ($188.86)  $53.59  $147.00  $183.90 ||  19.44%  16.70%   77.81%   98.91% 274.30%||
 12 12  12  9 4486 FIRST FINANCIAL OF LA   LUTCHER       LA  ||  $165.61   $179.50   ($18.90)      NA   $66.50   $90.95 ||  40.16%  37.05%  351.85%  481.22%    ERR ||
 13 13  12  9 4621 FIRST FSLA              ALEXANDRIA    LA  ||  $162.56   $162.06   ($15.64)  $11.00   $30.70   $42.10 ||  18.89%  18.94%  196.35%  269.27% 279.09%||
 14 14  12  9 8257 GULF FSLA               METAIRIE      LA  ||  $303.28   $486.19  ($176.59)      NA  $175.50  $239.00 ||  57.87%  36.10%   99.38%  135.04%    ERR ||
 15 15  12  9 7518 FIRSTBANK FSB           GONZALES      LA  ||   $45.03    $60.66   ($18.45)  $10.38   $20.70   $20.74 ||  45.97%  34.13%  112.10%  155.76% 199.42%||
 16 16  12  9 5021 MT PLEASANT SLA         MT PLEASANT   TX  ||   $25.27    $29.47    ($4.71)  $50.56    $4.76    $5.11 ||  18.83%  16.15%  101.06%  108.52%   9.41%||
 17 17   1  7 2031 FIRST FSLA OF FREEPORT  FREEPORT      IL  ||   $30.41    $36.92    ($9.51)  $13.15   $13.15   $13.77 ||  43.24%  35.62%  138.28%  144.79% 100.00%||
 18 18   2  3 3179 MAGNET BANK, FSB        CHARLESTON    WV  ||        \         \          \        \        \        \ ||       \       \        \        \       \ ||
 19 19   2  3 5972 MOUNTAIN STATE FSLA     CLARKSBURG    WV  ||        \         \          \        \        \        \ ||       \       \        \        \       \ ||
 20 20   2  3 3166 TRADERS FSLA            PARKERSBURG   WV  ||  $706.76   $720.07   ($48.36)  $81.47   $81.40  $107.07 ||  11.53%  11.32%  168.49%  221.40% 100.01%||
 21 21   3 10 3180 FIRST FSLA              CRAIG         CO  ||   $30.09    $33.68    ($3.83)   $3.81    $3.81    $5.85 ||  12.66%  11.33%   99.50%  152.70% 100.00%||
 22 22   3  6 2321 FIRST FSB               WATERLOO      IA  ||        \         \          \        \        \        \ ||       \       \        \        \       \ ||
 23 23   3  4 6825 FIRST FEDERATED SB      N PALM BEACH  FL  ||        \         \          \        \        \        \ ||       \       \        \        \       \ ||
 24 24   3  8 5065 PEOPLES FSLA            WATERLOO      IA  ||        \         \          \        \        \        \ ||       \       \        \        \       \ ||
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FILE:RSLVFY88

FSLIC CASE RESOLUTIONS

OCTOBER 1, 1987 - SEPTEMBER 30, 1988

07-Apr-89

Data codes:

1=Data not confirmed

2=Assets, Liab & Tang NW from thrift report two months prior to resolution

3=CDS & CDL not confirmed

NO.	NO.	MNTH RSLVD	DT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV CDS	EST PV CDL	CDS/ ASSETS	CDS/ LIAB	CDS/ T-NW	CDL/ T-NW	CDS/ LIAB UNRSLVD CASES	Data CD
								$Millions			$Millions	$Millions							
								Thrift monthly rprt prior to action			CFO data	Data from AED costing							
25	25	3	8	4477	THE PERPETUAL SLA	WATERLOO	IA	$560.62	$654.29	($107.99)	$158.18	$154.07	$207.08	27.48%	23.55%	142.67%	191.76%	97.40%	
26	26	6	5	428	VALLEY FSLA	ERWIN	TN	$88.56	$91.31	($10.83)	$7.42	$7.07	$17.90	8.62%	7.74%	65.28%	166.11%	95.28%	
27	27	4	12	7641	TRI-CITIES SLA	KENNEWICK	WA	$53.88	$61.36	($9.06)	$16.61	$15.82	$20.75	29.41%	25.78%	174.61%	229.03%	95.24%	
28	28	4	7	[illegible]	CITIZENS SLA	EAST ALTON	IL	$38.61	$41.65	($5.26)	$6.78	$6.46	$9.59	16.73%	15.51%	123.20%	183.02%	95.28%	
29	29	5	2	2392	FIRST FSLA OF HAMMONTON	HAMMONTON	NJ	$244.78	$318.95	($82.03)	$66.29	$72.08	$105.29	29.45%	22.60%	87.87%	128.36%	108.73%	
30	30	5	11	2268	EUREKA FSLA	SAN CARLOS	CA	$1,762.49	$1,878.55	($297.72)	$285.05	$303.49	$395.87	17.22%	16.16%	101.94%	132.97%	106.47%	
31	31	6	5	3398	FRONTIER FSB	DYERSBURG	TN	$46.42	$48.46	($7.51)	$10.64	$9.56	$12.62	20.60%	19.73%	127.36%	168.13%	89.85%	
32	32	6	6	3230	MUSKEGON FSLA	MUSKEGON	MI	$211.63	$211.31	($1.67)	$4.20	$4.00	$17.52	1.89%	1.89%	239.52%	1049.10%	95.24%	
33	33	6	12	7753	LYNNWOOD SLA	LYNNWOOD	WA	$24.04	$27.45	($3.53)	$4.62	$6.00	$10.60	24.96%	21.86%	169.83%	300.24%	129.87%	
34	34	6	11	7575	STANFORD SLA	PALO ALTO	CA	$75.97	$83.68	($7.94)	$0	$9.32	$13.14	12.27%	11.14%	117.38%	165.49%	0%	
35	35	7	7	3926	GALVA FSLA	GALVA	IL	\	\	\	\	\	\	\	\	\	\	\	
36	36	7	7	5137	HOME FSLA OF PEORIA	PEORIA	IL	\	\	\	\	\	\	\	\	\	\	\	
37	37	7	7	4854	MUTUAL SLA	CANTON	IL	$170.26	$187.81	($29.63)	$42.00	$34.16	$45.02	20.06%	18.19%	115.29%	151.94%	81.33%	
38	38	7	7	8344	REPUBLIC SAVINGS FSLA	SOUTH BELOIT	IL	$36.54	$53.73	($17.19)	$13.63	$17.83	$20.93	48.80%	33.18%	103.72%	121.70%	130.81%	
39	39	8	5	7566	COMMERCE FSB	KNOXVILLE	TN	$40.17	$55.06	($14.95)	$17.85	$17.17	$20.05	42.74%	31.19%	114.87%	134.16%	96.19%	
40	40	8	7	4198	FIRST FSLA OF TAYLORVILLE	TAYLORVILLE	IL	$36.13	$37.98	($3.65)	$2.26	$2.70	$8.71	7.47%	7.12%	73.93%	238.50%	119.47%	
41	41	8	8	6035	FIRST FSLA OF GRAND RAPIDS	GRAND RAPIDS	MN	\	\	\	\	\	\	\	\	\	\	\	
42	42	8	8	393	WASHINGTON FSB	STILLWATER	MN	\	\	\	\	\	\	\	\	\	\	\	
43	43	8	8	3558	PIONEER FSLA	MASON CITY	IA	\	\	\	\	\	\	\	\	\	\	\	
44	44	8	8	5509	FIRST FSLA OF HIBBING	HIBBING	MN	\	\	\	\	\	\	\	\	\	\	\	
45	45	8	8	4936	FIRST FSLA OF BRAINERD	BRAINERD	MN	\	\	\	\	\	\	\	\	\	\	\	
46	46	8	8	4483	PEOPLES SLA, FA	OWATONNA	MN	$1,085.63	$1,316.05	($294.72)	$251.56	$299.06	$414.61	27.54%	22.72%	101.47%	140.68%	118.88%	
47	47	8	8	2029	FIRST FEDERAL BANK, FSB	SHENANDOAH	IA	\	\	\	\	\	\	\	\	\	\	\	
48	48	8	8	4399	WESTERN FSLA	COUNCIL BLUFFS	IA	$47.02	$62.10	($18.29)	$12.21	$12.22	$19.31	25.99%	19.68%	66.81%	105.58%	100.08%	
49	49	8	11	7505	HOMESTATE SLA	HAYWARD	CA	$182.26	$224.90	($44.78)	$41.46	$40.10	$65.16	22.00%	17.83%	89.56%	145.52%	96.72%	
50	50	8	12	1343	FIRST FSLA	LONGVIEW	WA	$80.27	$84.77	($8.00)	$19.85	$14.20	$19.75	17.69%	16.75%	177.43%	246.78%	71.54%	

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FILE:RSLVFY88
Data codes:
1=Data not confirmed
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FSLIC CASE RESOLUTIONS
OCTOBER 1, 1987 - SEPTEMBER 30, 1988

07-Apr-89

NO.	NO.	MNTH RSLVD	DT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV CDS	EST PV CDL	CDS/ ASSETS	CDS/ LIAB	CDS/ T-NW	CDL/ T-NW	CDS/ LIAB UNRSLVD CASES	Data CD
								|------------$Millions	------------	------------	$Millions----------	------------$Millions	----|						
								|Thrift monthly rprt	prior to	action|	CFO data |	|Data from AED	costing						
51	51	8	7	942	CAPITOL F S OF AMERICA	EVERGREEN PARK	IL	$263.61	$259.31	($19.80)	$51.06	$16.75	$48.13	6.35%	6.46%	84.60%	243.11%	32.80%	
52	52	9	9	2603	FIRST FSB	ROGERS	AR	$122.38	$139.33	($19.65)	$16.45	$24.44	$30.13	19.97%	17.54%	124.38%	153.30%	148.57%	
53	53	9	7	1015	FIDELITY FSLA OF BERWYN	BERWYN	IL	$40.12	$43.52	($6.14)	$2.21	$3.61	$10.65	9.00%	8.29%	58.77%	173.37%	163.35%	
54	54	9	7	6689	LOVES PARK FSB	LOVES PARK	IL	$41.53	$44.71	($5.13)	$1.56	$4.96	$10.34	11.94%	11.09%	96.65%	201.40%	317.95%	
55	55	9	6	754	ARSENAL, SA, FA	INDIANAPOLIS	IN	$161.57	$175.76	($32.80)	$34.65	$35.00	$44.90	21.66%	19.91%	106.70%	136.88%	101.01%	
56	56	9	6	4076	FRANKTON FSLA	FRANKTON	IN	$30.75	$33.45	($2.82)	$3.15	$0.00	$4.84	0.00%	0.00%	0.00%	171.75%	0.00%	
57	57	9	11	8240	BELL SLA, FSLA	SAN MATEO	CA	$931.91	$1,404.96	($574.76)	$600.05	$565.77	$700.14	60.71%	40.27%	98.44%	121.81%	94.29%	
58	58	9	11	8239	BUTTERFIELD SLA, FSLA	SANTA ANA	CA	$517.15	$660.88	($301.60)	$76.67	$281.17	$336.61	54.37%	42.54%	93.23%	111.61%	366.73%	
59	59	9	11	7348	ADOBE SB	CONCORD	CA	$46.35	$47.27	($0.91)	$0.41	$2.95	$6.31	6.36%	6.24%	323.62%	692.05%	719.51%	
60	60	9	6	4472	CAPITAL FSLA	GARY	IN	\	\	\	\	\	\	\	\	\	\	\	
61	61	9	6	2752	FIRST FSB OF INDIANA	GARY	IN	$340.34	$347.30	($22.95)	$23.10	$28.75	$30.62	8.45%	8.28%	125.30%	133.42%	124.46%	
62	62	9	6	4807	CITIZENS FSLA OF NEW CASTLE	NEW CASTLE	IN	$52.41	$55.69	($5.88)	$6.09	$5.65	$10.16	10.78%	10.14%	96.05%	173.01%	92.78%	
63	63	9	6	7135	UNITED SA OF CENTRAL INDIANA	TIPTON	IN	$60.41	$63.60	($8.19)	$4.84	$8.38	$13.74	13.87%	13.18%	102.30%	167.77%	173.14%	
					TOTAL RAD Mergers and Acquisitions			$11,518.13	$13,335.95	($2,647.78)	$2,198.30	$2,770.27	$3,678.34	24.05%	20.77%	104.63%	138.92%	126.01%	
					Expedited Case Processing														
64	1	8	12	6606	NORTHWEST FSLA	BOISE	ID	$26.50	$29.48	($2.95)	$0.17	$2.39	$5.87	9.02%	8.11%	80.96%	198.98%	1405.88%	
65	2	9	4	5900	CITIZENS FSLA	JACKSONVILLE	FL	$59.32	$62.55	($8.02)	$3.99	($0.50)	$12.91	-0.84%	-0.80%	-6.23%	160.96%	-12.53%	
66	3	9	4	6524	COOSA FSLA	GADSDEN	AL	$76.56	$79.22	($9.06)	$6.36	$12.95	$15.33	16.91%	16.35%	142.90%	169.17%	203.62%	
67	4	9	12	8243	FREEDOM FSLA	CORVALLIS	OR	$306.96	$333.06	($26.58)	$37.25	$29.28	$45.16	9.54%	8.79%	110.16%	169.90%	78.60%	
					TOTAL Expedited Cases			$469.34	$504.31	($46.61)	$47.77	$44.12	$79.27	9.40%	8.75%	94.65%	170.05%	92.36%	
					Southwest Plan														
					BARE PEG/COASTAL														

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FILE:RSLVFY88
Data codes:
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3=CDG & COL not confirmed data

FSLIC CASE RESOLUTIONS
OCTOBER 1, 1987 - SEPTEMBER 30, 1988

07-Apr-89

NO.	NO.	RSLVD	QT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV CDG	EST PV COL	CDG/ ASSETS	CDG/ LIAB	CDG/ T-NW	COL/ T-NW	CDG/ LIAB UNRSLVD CASES	Data CD
								$Millions Thrift monthly rpt prior to action	$Millions Thrift monthly rpt prior to action	$Millions Thrift monthly rpt prior to action	$Millions CFO data	$Millions Data from AED costing	$Millions Data from AED costing						
68	1	5	9	7082	ALLIANCE SLA	HOUSTON	TX	$97.80	$154.13	($56.34)	$41.55								
69	2	5	9	7480	CAMERON COUNTY SA	SAN BENITO	TX	27.96	28.13	($8.32)	$0.12								
70	3	5	9	3479	COLORADO COUNTY FSLA	COLUMBUS	TX	221.09	231.48	($13.55)	$10.95								
71	4	5	9	6461	SECURITY SLA	DICKINSON	TX	109.42	135.05	($20.12)	$11.73								
					Total Coastal			$456.27	$548.80	($98.33)	$64.35	$146.23	$154.80	32.05%	26.65%	148.72%	157.44%	227.24%	
72	5	5	9	7720	BLUEBONNET SA OF TEXAS	HEMPSTEAD	TX	$24.31	$29.78	($5.47)	$8.52	$9.47	$9.85	38.96%	31.80%	173.16%	180.11%	111.15%	
					BANK PEG/SOUTHWEST														
73	6	5	9	210	LAMAR SA	AUSTIN	TX	$1,913.16	$2,258.96	($409.33)	$397.07								
74	7	5	9	5675	BRIERCROFT SA	LUBBOCK	TX	$874.37	$899.50	($37.98)	$27.58								
75	8	5	9	6119	CITY SLA	SAN ANGELO	TX	$690.42	$918.79	($266.52)	$286.66								
76	9	5	9	6152	STOCKTON SA	ADDISON	TX	$616.01	$968.90	($361.97)	$300.89								
					Total Southwest			$4,093.96	$5,046.16	($1,076.00)	$1,012.20	$2,115.29	$2,248.90	51.67%	41.92%	196.59%	209.00%	208.98%	
					LION PEG/MERABANK														
77	10	6	9	8273	BROWNFIELD SLA	BROWNFIELD	TX	$39.77	$49.00	($13.75)	$5.69								
78	11	6	9	6208	FIRST FINANCIAL SA	EL PASO	TX	$315.08	$338.84	($52.08)	$37.81								
79	12	8	9	8274	STATE OF LUBBOCK SA	LUBBOCK	TX	$454.29	$962.26	($596.78)	$418.16								
					Total Merabank			$809.15	$1,330.10	($662.60)	$461.66	$840.74	$886.85	103.90%	63.21%	126.88%	133.84%	182.12%	
					IRIS PEG/LONE STAR & GIBSON GROUP														
80	13	8	9	7665	AMERICAN BANC SA	DALLAS	TX	$62.12	$72.46	($15.16)	$10.78								
81	14	8	9	7226	BEN MILAM SLA	DALLAS	TX	$156.20	$337.58	($181.39)	$135.08								
82	15	8	9	3376	COMMERCE FSLA	COMMERCE	TX	$31.63	$32.78	($3.29)	$3.06								
83	16	8	9	2524	GLADEWATER FSLA	GLADEWATER	TX	$26.75	$35.71	($11.32)	$9.37								

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FILE:RSLVFY88

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3=COR & COL not confirmed

FSLIC CASE RESOLUTIONS
OCTOBER 1, 1987 - SEPTEMBER 30, 1988

07-Apr-89

NO.	NO.	MNTH RSLVD	BY	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV COR	EST PV COL	COR/ ASSETS	COR/ LIAB	COR/ T-NW	COL/ T-NW	COR/ LIAB UNRSLVD CASES	Data CD
								|------$millions------		|Thrift monthly rprt prior to action|	$millions CFO data	||Data from AED costing	$millions						
84	17	8	9	5498	IRVING SA	IRVING	TX	$57.48	$125.94	($68.45)	$39.86								
85	18	8	9	7218	LONGVIEW SLA	LONGVIEW	TX	$167.46	$182.39	($48.90)	$50.09								
86	19	8	9	5976	MAJESTIC SA	MCKINNEY	TX	$249.07	$351.48	($100.68)	$22.51								
87	20	8	9	4505	MERCURY SA OF TEXAS	WICHITA FALLS	TX	$322.39	$585.85	($263.45)	$192.51								
88	21	8	9	7420	PARIS SLA	PARIS	TX	$264.08	$430.52	($166.45)	$59.18								
89	22	8	9	6202	RICHARDSON SLA	DALLAS	TX	$704.02	$851.89	($177.28)	$82.72								
90	23	8	9	7878	SKYLINE SA	DALLAS	TX	$114.75	$125.88	($11.56)	$0								
91	24	8	9	7891	SOUTHLAND SA	LONGVIEW	TX	$31.07	$35.31	($6.31)	$3.19								
					Total Loan Star & Gibson Group			$2,160.99	$3,160.90	($1,062.22)	$428.33	$1,326.77	$1,546.29	61.18%	61.87%	124.91%	145.57%	211.58%	
					OWL PEG/PULTE														
92	25	9	9	8291	ALLENPARK FSLA ✓	HOUSTON	TX	$171.57	$199.48	($28.91)	$13.07								
93	26	9	9	2687	BAY CITY FSLA ✓	BAY CITY	TX	$133.38	$172.16	($39.64)	$0.63								
94	27	9	9	8241	HEIGHTS SA ✓	HOUSTON	TX	$278.65	$471.75	($227.19)	$268.95								
95	28	9	9	6203	GULF COAST SA ✓	RICHMOND	TX	$58.95	$71.76	($12.83)	$2.67								
96	29	9	9	6884	CHAMPION	HOUSTON	TX	$661.73	$1,032.63	($370.90)	$355.02								
					Total Pulte			$1,304.27	$1,947.77	($679.46)	$640.36	$1,102.03	$1,201.04	84.49%	56.58%	162.19%	180.54%	172.10%	
					UREN PEG/CLUB CORP														
97	30	9	9	6151	CREDITBANC SA	AUSTIN	TX	$638.01	$863.03	($322.79)	$81.49								
98	31	9	9	7010	FRANKLIN SA	AUSTIN	TX	$396.10	$748.64	($355.06)	$233.99								
99	32	9	9	5221	GREATWEST SAV BANC	AUSTIN	TX	$176.72	$202.67	($31.13)	$8.92								
					Total Club Corp			$1,210.82	$1,806.34	($709.76)	$324.40	$1,108.27	$1,111.46	91.53%	61.35%	156.15%	156.60%	341.06%	
					LILY PEG/TEMPLE-INLAND, TRAMMELL CROW & MASON BEST														
100	33	9	9	5458	DELTA SA OF TEXAS	ALVIN	TX	$201.11	$333.90	($144.36)	$42.80								

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FSLIC CASE RESOLUTIONS
OCTOBER 1, 1987 - SEPTEMBER 30, 1988

07-Apr-89

Date codes:
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3=CDS & CDL not confirmed

NO.	NO.	MNTH RSLVD	BY	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV CDS	EST PV CDL	CDS/ ASSETS	CDS/ LIAB	CDS/ T-NW	CDL/ T-NW	CDS/ LIAB UNRSLVD CASES	Date CD
								|-----$Millions----- Thrift monthly rprt prior to action			$Millions CFO date	$Millions Data from AED costing							
101	34	9	9	2878	FIRST FSLA	AUSTIN	TX	$1,058.54	$1,171.56	($131.30)	$0								
102	35	9	9	0060	GUARANTY FSLA	DALLAS	TX	$1,791.76	$2,664.90	($1,018.10)	$240.64								
					Total Temple-Inland, Trammell Crow & HoPen Best			$3,051.30	$4,170.36	($1,293.76)	$291.44	$1,760.72	$2,263.82	57.70%	42.22%	136.09%	174.98%	604.14%	
					TOTAL Southwest Plan			$13,118.75	$18,048.29	($5,587.61)	$3,431.22	$8,409.32	$9,503.01	64.10%	46.59%	150.50%	170.07%	245.09%	
					TOTAL MERGERS & ACQUISITIONS			$25,106.22	$31,980.46	($8,282.03)	$5,677.37	$11,223.91	$13,260.62	44.71%	35.10%	135.52%	160.11%	197.70%	
					INSURANCE ACTIONS														
103	1	10	1	7659	SIERRA SLA	MINDEN	NE	$12.06	$13.07	($1.01)	$0	$5.40	$5.40	44.78%	41.32%	534.65%	534.65%	ERR	
104	2	10	2	6445	TRI-COUNTY SLA	CAMDEN	NJ	$36.50	$56.70	($20.20)	$44.84	$22.51	$22.51	61.67%	39.70%	111.44%	111.44%	50.20%	
105	3	11	9	8391	VERNON SLA	DALLAS	TX	$1,018.59	$1,726.33	($725.85)	$0	$1,260.13	$1,260.13	123.71%	72.99%	173.61%	173.61%	ERR	
106	4	12	8	8879	BOHEMIAN SLA	ST LOUIS	MO	$185.19	$223.00	($105.30)	$94.60	$97.16	$97.16	52.46%	43.60%	92.27%	92.27%	102.71%	
107	5	1	9	7229	FIRST SA OF EAST TEXAS	SAN AUGUSTINE	TX	$61.67	$134.03	($72.31)	$87.99	$87.99	$87.99	142.68%	65.65%	121.68%	121.68%	100.00%	
108	6	1	12	8272	CITIZENS SLA, A FSLA	SALEM	OR	$139.33	$236.92	($132.73)	$141.27	$141.27	$141.27	101.39%	59.63%	106.43%	106.43%	100.00%	
109	7	1	10	7672	TERRITORY SLA	SEMINOLE	OK	$31.22	$73.08	($41.86)	$46.19	$46.19	$46.19	147.95%	63.20%	110.34%	110.34%	100.00%	
110	8	2	11	7798	MT WHITNEY SLA	EXETER	CA	$36.18	$78.53	($42.47)	$46.38	$46.38	$46.38	128.19%	59.06%	109.21%	109.21%	100.00%	
111	9	2	11	8354	RAMONA SLA	ORANGE	CA	$49.07	$115.50	($66.43)	$76.34	$76.34	$76.34	155.57%	66.10%	114.92%	114.92%	100.00%	
112	10	3	5	4062	FIRST FSLA	PADUCAH	KY	$129.09	$167.62	($38.86)	$52.36	$52.36	$52.36	40.56%	31.19%	134.69%	134.69%	100.00%	
113	11	3	10	8419	INVESTORS SLA, A FSLA	EL RENO	OK	$81.53	$109.15	($37.62)	$40.74	$40.74	$40.74	49.97%	37.32%	108.29%	108.29%	100.00%	
114	12	3	10	8423	UNITED SA, A FSLA	DURANT	OK	$82.71	$107.48	($25.80)	$44.11	$44.11	$44.11	53.33%	41.04%	170.97%	170.97%	100.00%	
115	13	4	10	1628	FIRST FSLA	SHAWNEE	OK	$133.05	$161.03	($30.33)	$29.88	$55.76	$55.76	41.91%	34.63%	183.84%	183.84%	186.61%	
116	14	4	6	301	AMERICAN FSLA	ANDERSON	IN	$156.35	$195.25	($50.82)	$32.63	$67.22	$67.22	42.99%	34.43%	132.27%	132.27%	206.01%	
117	15	5	4	8290	CARDINAL SB, INC	NEWPORT	NC	$93.62	$119.51	($25.89)	$0	$34.37	$34.37	36.71%	28.76%	132.75%	132.75%	0.00%	
118	16	6	5	2712	LARUE FSLA	HODGENVILLE	KY	$13.03	$16.58	($4.65)	$5.11	$6.86	$6.86	52.65%	41.38%	147.53%	147.53%	134.25%	

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FSLIC CASE RESOLUTIONS
OCTOBER 1, 1987 - SEPTEMBER 30, 1988

07-Apr-89

NO.	NO.	MNTH DSLVD	DT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV CDS	EST PV CDL	CDS/ ASSETS	CDS/ LIAB	CDS/ T-NW	CDL/ T-NW	CDL/ LIAB UNRSLVD CASES	Data CD
								----$millions----		(Thrift monthly rpt prior to action)	$millions CFO data	$millions (Data from AED costing)							
119	17	6	11	8375	NORTH AMERICA SLA, A FSLA	SANTA ANA	CA	$93.88	$212.61	($120.11)	$66.17	$133.22	$133.22	141.90%	62.66%	110.91%	110.91%	201.33%	
120	18	6	11	7736	AMERICAN DIVERSIFIED SB	LODI	CA	$485.91	$1,164.91	($679.11)	$631.17	$797.39	$797.39	164.10%	68.47%	117.42%	117.42%	126.37%	
121	19	7	11	8230	FARMERS SAVINGS, A FSLA	DAVIS	CA	$159.17	$333.07	($195.96)	$119.96	$198.96	$198.96	124.99%	59.90%	101.53%	101.53%	165.87%	
122	20	7	10	1676	THE AMERICAN FSLA	ANADARKO	OK	$66.41	$169.19	($97.06)	$71.69	$111.77	$111.77	168.30%	66.06%	115.16%	115.16%	155.91%	
123	21	7	10	8378	UNIVERSAL SA, A FSLA	CHICKASHA	OK	$55.01	$85.36	($30.35)	$29.78	$35.76	$35.76	65.01%	41.89%	117.83%	117.83%	120.08%	
124	22	7	10	8395	VICTOR SLA (See note below)	MUSKOGEE	OK	$230.29	$414.09	($183.80)	$124.85	$0.00	$0.00	0.00%	0.00%	0.00%	0.00%	0.00%	
125	23	9	4	7515	ULTIMATE SB, FSB	RICHMOND	VA	$184.63	$214.61	($30.09)	$7.10	$55.75	$55.75	30.20%	25.98%	185.28%	185.28%	785.21%	
126	24	9	12	7725	PEOPLES SLA	LA GRANDE	OR	$19.67	$32.07	($12.56)	$8.34	$15.72	$15.72	79.92%	49.02%	125.16%	125.16%	188.49%	
					TOTAL INSURANCE ACTIONS			$3,554.87	$6,161.57	($2,771.27)	$1,801.46	$3,433.52	$3,433.52	96.59%	55.72%	123.90%	123.90%	190.60%	
					TOTAL OCT 1, 1987 - SEP 30, 1988 RESOLUTIONS			$28,661.00	$38,070.03	($11,053.27)	$7,470.83	$14,657.43	$14,606.14	51.14%	38.50%	132.61%	151.83%	195.99%	

Note: Victor SLA transferred to Cimarron. For costs see Stabilized actions.

FILE:RSLVCY87
11/30/88

FSLIC CASE RESOLUTIONS
JANUARY 1, 1987 - DECEMBER 31, 1987

		ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV COS	EST PV COL	COS/ ASSETS	COS/ LIAB	COS/ T-NW	COL/ T-NW	COS/ LIAB UNRSLVD CASES
		$Millions	$Millions	$Millions	$Millions	$Millions	$Millions					
		Data from report prior to action	Data from report prior to action	Data from report prior to action	CPD data	Data from ABD costing	Data from ABD costing					
30	TOTAL MERGERS/ACQUISITIONS	$7,582.23	$8,536.22	($1,410.74)	$664.84	$1,426.11	$1,802.00	18.81%	16.71%	101.09%	127.73%	214.50%
17	TOTAL INSURANCE ACTIONS	$2,888.28	$4,272.86	($1,519.32)	$950.88	$2,277.50	$2,277.50	78.85%	53.30%	149.90%	149.90%	239.51%
47	TOTAL 1987 RESOLUTIONS	$10,470.51	$12,809.07	($2,930.05)	$1,615.72	$3,703.61	$4,079.50	35.37%	28.91%	126.40%	139.23%	229.22%

FILE:RSLVCY87
11/30/88

FSLIC CASE RESOLUTIONS
JANUARY 1, 1987 - DECEMBER 31, 1987

NO.	NO.	DATE RSLVD	DI	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV COS	EST PV COL	COS/ ASSETS	COS/ LIAB	COS/ T-NW	COL/ T-NW	COS/ LIAB UNRSLVD CASES
								$Millions			$Millions	$Millions						
								Data from report prior to action			CFO data	Data from ADD costing						
					MERGERS & ACQUISITIONS													
1	1	1	9	7237	MAGIC VALLEY SLA	WESLACO	TX	$103.63	$119.32	($15.93)	$10.21	$15.86	$19.96	15.30%	13.29%	99.56%	125.17%	155.34%
2	2	1	9	6844	GUARANTY FSLA	HARRISON	AR	$46.76	$48.44	($2.48)	$0.00	($0.59)	NA	-1.26%	-1.22%	-23.79%	0.00%	NA
3	3	2	12	5761	WESTERN SLA	SALT LAKE CITY	UT	$399.46	$426.25	($27.15)	$0.00	$0.00	$50.15	0.00%	0.00%	0.00%	184.74%	NA
4	4	3	5	8520	BEACON FSLA	CINCINNATI	OH	$108.61	$95.95	($5.14)	$16.49	$3.31	$5.16	3.05%	3.45%	64.34%	100.39%	20.07%
5	5	3	9	7916	BAYOU FSLA	NEW ORLEANS	LA	$26.08	$30.61	($4.90)	$65.39	$12.42	$15.88	47.63%	40.57%	253.73%	302.33%	18.99%
6	6	3	10	8315	FIRST SECURITY SLA	GRAND JUNCTION	CO	$43.60	$54.44	($8.97)	NOT INC	$0.00	$9.35	0.00%	0.00%	0.00%	104.24%	NA
7	7	3	11	7929	SOUTH BAY SLA	GARDENA	CA	$61.49	$66.33	($3.48)	$37.36	$4.62	$7.19	7.51%	6.97%	132.95%	206.61%	12.37%
8	8	3	12	5393	HOME SLA	SEATTLE	WA	$148.95	$171.61	($22.42)	$14.14	$22.00	$27.12	14.77%	12.82%	98.13%	120.96%	155.59%
9	9	4	11	6106	CENTRAL SLA	SAN DIEGO	CA	$1,690.33	$1,760.90	($281.67)	NOT INC	$289.13	$331.24	17.10%	16.42%	102.65%	117.60%	NA
10	10	4	11	8256	SOUTHERN CALIFORNIA SLA	BEVERLY HILLS	CA	$915.34	$1,088.11	($239.10)	$109.22	$217.50	$230.30	23.76%	19.99%	90.97%	96.32%	199.14%
11	11	6	2	4330	FORT LEE SLA	FORT LEE	NJ	$181.42	$201.30	($14.13)	$51.06	$32.92	$52.44	18.15%	16.35%	232.98%	371.12%	64.47%
12	12	6	12	2821	PROVIDENT FSLA	BOISE	ID	$204.36	$239.34	($46.11)	$12.33	$52.05	$56.21	25.47%	21.75%	112.88%	121.90%	422.14%
13	13	6	12	1376	UNITED FIRST FSLA	BOISE	ID	$322.60	$372.36	($82.00)	$23.35	$69.10	$75.44	21.42%	18.56%	84.27%	92.00%	295.93%
14	14	7	10	3199	OK FSLA	EL RENO	OK	$53.73	$92.85	($41.00)	$21.17	$41.10	$47.25	76.50%	44.26%	100.24%	115.24%	194.14%
15	15	10	9	2360	FIRST FSLA	NATCHITOCHES	LA	$51.56	$70.09	($21.99)	$87.10	$22.13	$25.64	42.92%	31.57%	100.64%	116.60%	25.41%
16	16	11	4	6909	GULF FSLA	MOBILE	AL	$6.12	$6.60	($0.48)	$1.87	$0.46	$0.68	7.51%	6.97%	95.83%	141.67%	24.60%
17	17	11	7	3636	[illegible] FSLA	SUMMIT	IL	$25.72	$29.96	($4.24)	$24.35	$3.95	$5.47	15.36%	13.18%	93.16%	129.01%	16.22%
18	18	12	4	5290	UNITY FSLA	MORGANTON	NC	$125.08	$134.50	($8.27)	$12.70	$0.00	$13.37	0.00%	0.00%	0.00%	161.67%	0.00%
19	19	12	4	1899	AMERICAN FSLA	LYNCHBURG	VA	$195.42	$213.62	($30.91)	$13.70	$35.03	$51.06	17.93%	16.40%	113.33%	165.19%	255.69%
20	20	12	5	740	COMMUNITY FSLA	HAMILTON	OH	$410.63	$410.52	($27.12)	$11.21	$21.87	$39.68	5.33%	5.33%	80.64%	146.31%	195.09%
21	21	12	7	6747	GIBSON FSLA	GIBSON CITY	IL	$136.51	$159.16	($30.46)	$22.61	$36.58	$40.90	26.80%	22.98%	120.09%	134.27%	161.78%

FILE:RSLVC187
11/30/88

FSLIC CASE RESOLUTIONS
JANUARY 1, 1987 - DECEMBER 31, 1987

|----------$millions----------------$millions-----------------$millions---|
[Data from report prior to action] | CFO data |[Data from AED costing]

NO.	NO.	MNTH RSLVD	DI	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N.W.	LIAB UNRSLVD CASES	EST PV COS	EST PV COL	COS/ ASSETS	COS/ LIAB	COS/ T-NW	COL/ T-NW	COS/ LIAB UNRSLVD CASES
22	22	12	8	2716	BOONE COUNTY FSLA	CENTRALIA	MO	$19.83	$20.01	($2.86)	$9.36	$2.34	$2.91	11.80%	11.25%	116.93%	142.93%	25.03%
23	23	12	9	7108	FIRST FSB	SLIDELL	LA	$47.65	$55.36	($8.14)	$10.63	$10.92	$13.00	22.92%	19.72%	134.09%	159.63%	102.73%
24	24	12	9	8356	RIVERSIDE FSA	PINE BLUFF	AR	$80.23	$143.42	($63.19)	$0.00	$90.70	$89.61	10.31%	9.62%	143.67%	141.01%	NM
25	25	12	9	3617	FIRST FINANCIAL BANK	NEW ORLEANS	LA	$756.12	$880.07	($108.84)	$53.90	$147.00	$183.00	19.44%	16.70%	77.04%	96.91%	274.30%
26	26	12	9	4406	FIRST FINANCIAL OF LA	LUTCHER	LA	$165.61	$179.50	($18.98)	NOT INCL.	$66.50	$90.95	40.16%	37.05%	351.05%	481.22%	NM
27	27	12	9	4631	FIRST FSLA	ALEXANDRIA	LA	$162.34	$162.06	($15.64)	$11.00	$30.70	$42.10	18.09%	18.94%	196.35%	269.27%	279.09%
28	28	12	9	8357	GULF FSLA	METAIRIE	LA	$303.20	$486.79	($176.59)	NOT INCL.	$175.50	$230.00	57.88%	36.10%	99.38%	135.08%	NM
29	29	12	9	7518	FIRSTBANC FSB	GONZALES	LA	$43.83	$60.05	($18.45)	$10.30	$20.70	$20.74	45.97%	36.13%	112.18%	155.76%	199.42%
30	30	12	9	1021	MT PLEASANT SLA	MT PLEASANT	TX	$25.27	$29.47	($4.71)	$50.56	$4.76	$5.11	18.83%	16.15%	101.08%	108.52%	9.41%
					TOTAL MERGERS/ACQUISITIONS			$7,582.23	$8,536.22	($1,410.74)	$664.06	$1,426.11	$1,802.00	18.81%	16.71%	101.09%	127.73%	216.30%
					INSURANCE ACTIONS													
31	1	1	9	6483	FIRST SLA	[illegible]	TX	$280.54	$336.41	($131.08)	$130.87	$223.98	$223.00	107.97%	66.29%	160.09%	160.09%	166.30%
32	2	1	12	1342	UMPQUA SLA	ROSEBURG	OR	$113.27	$120.25	($12.84)	$74.10	$11.13	$11.13	9.83%	9.26%	92.44%	92.44%	15.02%
33	3	2	7	6487	LIFE SAVINGS OF AMERICA	ROCKFORD	IL	$352.96	$427.09	($73.31)	$83.00	$132.40	$132.40	37.54%	31.02%	180.72%	180.72%	159.63%
34	4	2	10	945	FIRST FSLA OF BELOIT	BELOIT	KS	$62.53	$90.95	($12.36)	$20.00	$19.00	$19.00	23.99%	20.42%	160.52%	160.52%	99.00%
35	5	3	4	4144	FIRST FEDERAL OF MARYLAND	HAGERSTOWN	MD	$108.95	$153.30	($44.34)	$80.48	$49.30	$49.30	63.61%	43.16%	107.71%	107.71%	86.19%
36	6	3	9	7576	FIRST SOUTHERN SA	PASCAGOULA	MS	$50.19	$50.90	($11.95)	$11.00	$13.00	$13.00	27.38%	25.55%	115.06%	115.06%	123.40%
37	7	3	11	7563	EQUITABLE SLA	FOUNTAIN VALLEY	CA	$53.02	$84.34	($30.86)	$36.99	$35.22	$35.22	41.65%	41.60%	114.22%	114.22%	117.40%
38	8	4	9	7409	LIBERTY FSLA	LEESVILLE	LA	$136.96	$156.70	($23.01)	$77.81	$53.11	$53.11	39.36%	33.89%	230.81%	230.81%	68.20%
39	9	4	11	8236	CENTENNIAL SLA, FSLA	[illegible]	LA	$190.17	$353.60	($167.23)	$135.71	$168.29	$168.29	88.49%	47.59%	100.63%	100.63%	124.01%

FILE:RSLVC187
11/30/88

FSLIC CASE RESOLUTIONS
JANUARY 1, 1987 - DECEMBER 31, 1987

NO.	NO.	MNTH RSLVD	DI	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB.	TANG N W	LIAB UNRSLVD CASES	EST PV COS	EST PV COL	COS/ ASSETS	COS/ LIAB	COS/ T-NW	COL/ T-NW	COS/ LIAB UNRSLVD CASES
								$millions			$millions	$millions						
								Data from report prior to action			CFO data	Data from AEB costing						
40	10	6	12	7090	SUMMIT S&A	PARK CITY	UT	$119.82	$159.52	($39.70)	$70.00	$46.20	$46.20	38.56%	28.96%	116.37%	116.37%	66.00%
41	11	6	12	7750	FUTURE S&A	ALBANY	OR	$57.41	$70.06	($13.07)	$5.00	$16.14	$16.16	28.82%	23.06%	123.49%	123.49%	322.80%
42	12	5	8	0250	CAPITOL FED	MT PLEASANT	IA	$150.26	$228.67	($86.41)	$85.55	$101.92	$101.92	66.40%	44.09%	117.96%	117.96%	119.14%
43	13	6	12	7084	FRONTIER S&A	FAIRBANKS	AK	$6.81	$7.68	($0.88)	NOT INCL.	$1.90	$1.90	27.92%	24.73%	216.40%	216.40%	ERR
44	14	10	1	7659	SIERRA S&A	MINDEN	NE	$12.06	$13.07	($1.01)	NOT INCL.	$5.40	$5.40	44.78%	41.32%	534.65%	534.36%	ERR
45	15	10	2	6465	TRI-COUNTY S&A	CAMDEN	NJ	$36.50	$56.70	($20.20)	$44.86	$22.51	$22.51	61.67%	39.70%	111.44%	111.44%	50.20%
46	16	11	9	8391	VERNON S&A	DALLAS	TX	$1,018.59	$1,726.33	($725.83)	NOT INCL.	$1,260.13	$1,260.13	123.71%	72.99%	173.61%	173.61%	ERR
47	17	12	8	8079	BONHOMME S&A	ST LOUIS	MO	$185.19	$223.00	($105.30)	$94.60	$97.16	$97.16	52.46%	43.60%	92.27%	92.27%	102.71%
					TOTAL INSURANCE ACTIONS			$2,888.26	$4,272.86	($1,519.32)	$950.00	$2,277.50	$2,277.50	78.85%	53.30%	149.90%	149.90%	239.31%
					TOTAL 1987 RESOLUTIONS			$10,470.51	$12,889.07	($2,930.05)	$1,615.72	$3,703.61	$4,079.50	35.37%	28.91%	126.40%	139.23%	229.22%

FILE:RSLVFY87
11/30/88

FDIC CASE RESOLUTIONS
OCTOBER 1, 1986 - SEPTEMBER 30, 1987

		ASSETS	LIAB.	TANG G.W.	LIAB UNRSLVD CASES	EST PV LOSS	EST PV COL	COR/ ASSETS	COR/ LIAB	COR/ T-GW	COL/ T-GW	COR/ LIAB UNRSLVD CASES
		$Millions			$Millions	$Millions						
		Data from report prior to action			CFO data	Data from ASB costing						
19	TOTAL MERGERS/ACQUISITIONS	$6,220.42	$6,764.34	($920.77)	$345.72	$937.90	$1,271.75	15.08%	13.87%	101.87%	138.12%	271.29%
16	TOTAL INSURANCE ACTIONS	$3,522.75	$4,279.29	($813.70)	$811.44	$1,636.51	$1,636.51	46.46%	38.24%	201.12%	201.12%	201.68%
35	TOTAL FY 1987 RESOLUTIONS	$9,743.17	$11,043.63	($1,734.47)	$1,157.16	$2,574.41	$2,908.26	26.42%	23.31%	148.43%	167.67%	222.48%

FILE RSLVF187
11/30/88

FSLIC CASE RESOLUTIONS
OCTOBER 1, 1986 - SEPTEMBER 30, 1987

NO	NO.	MNTH RSLVD	DI	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB	TANG. N W	LIAB UNRSLVD CASES	EST PV COS	EST PV COL	COS/ ASSETS	COS/ LIAB	COS/ T NW	COL/ T NW	COS/ LIAB UNRSLVD CASES
								$Millions (Data from report prior to action)			$Millions CFO data	$Millions (Data from AED costing)						
					MERGERS & ACQUISITIONS													
1	1	10	6	50	FAMILY FSLA	SAGINAW	MI	$361.00	$359.06	($23.48)	$0	$12.90	$26.62	3.57%	3.58%	54.96%	102.20%	0%
2	2	10	3	155	FARMERS FSLA	DAVENPORT	IA	$135.27	$133.66	($2.37)	$0	$0.00	$17.52	0.00%	0.00%	0.00%	739.61%	0%
3	3	10	4	4601	FIRST STATE SLA	SPARTANBURG	SC	$79.21	$79.56	($0.79)	$0	$0.00	$4.75	0.00%	0.00%	0.00%	602.79%	0%
4	4	12	5	425	LINCOLN FSLA	LOUISVILLE	KY	$471.21	$507.65	($46.61)	$0	$93.00	$108.71	19.74%	18.33%	199.54%	233.24%	0%
5	5	12	8	2001	ST LOUIS FSLA	CLAYTON	MO	$958.64	$997.70	($57.69)	$0	$75.00	$187.56					
6	6	1	9	7237	MAGIC VALLEY SLA	WESLACO	TX	$103.63	$119.32	($15.93)	$10.21	$15.86	$19.96	15.30%	13.29%	99.56%	125.17%	155.36%
7	7	1	9	8266	GUARANTY FSLA	HARRISON	AR	$46.76	$48.66	($2.48)	$0.00	($0.59)	NM	-1.26%	-1.22%	-23.79%	0.00%	0%
8	8	2	12	5761	WESTERN SLA	SALT LAKE CITY	UT	$399.48	$426.35	($27.15)	$0.00	$0.00	$50.15	0.00%	0.00%	0.00%	184.76%	0%
9	9	3	5	8320	BEACON FSLA	CINCINNATI	OH	$8.61	$8.90	($0.48)	$1.49	$0.31	$0.52	3.60%	3.45%	64.58%	108.33%	20.81%
10	10	3	9	7916	BAYOU FSLA	NEW ORLEANS	LA	$26.00	$30.61	($4.90)	$65.39	$12.42	$13.83	47.63%	40.57%	253.75%	282.53%	18.99%
11	11	3	10	8355	FIRST SECURITY SLA	GRAND JUNCTION	CO	$45.69	$54.44	($8.97)	NOT INC	$0.00	$9.55	0.00%	0.00%	0.00%	106.44%	0%
12	12	3	11	7929	SOUTH BAY SLA	GARDENA	CA	$61.49	$66.33	($5.48)	$37.36	$4.62	$7.19	7.51%	7.10%	132.95%	206.91%	12.37%
13	13	3	12	5395	HOME SLA	SEATTLE	WA	$169.00	$171.61	($22.42)	$14.14	$22.00	$27.12	16.77%	12.84%	98.14%	120.99%	155.59%
14	14	4	11	6186	CENTRAL SLA	SAN DIEGO	CA	$1,688.53	$1,760.98	($281.67)	NOT INC	$289.55	$331.26	17.05%	16.36%	102.88%	117.60%	0%
15	15	4	11	8258	SOUTHERN CALIFORNIA SLA	BEVERLY HILLS	CA	$915.54	$1,088.11	($238.18)	$109.22	$217.58	$238.30	23.76%	19.99%	90.94%	99.63%	199.16%
16	16	6	2	4330	FORT LEE SLA	FORT LEE	NJ	$101.42	$201.90	($14.13)	$51.06	$12.92	$52.64	18.15%	36.35%	232.93%	371.05%	64.47%
17	17	6	12	2821	PROMINENT FSLA	BOISE	ID	$206.36	$239.56	($46.11)	$12.33	$52.05	$56.21	25.47%	21.73%	112.88%	121.90%	422.16%
18	18	6	12	1576	UNITED FIRST FSLA	BOISE	ID	$322.60	$372.36	($82.00)	$23.35	$69.18	$75.64	21.44%	18.58%	84.36%	92.00%	296.27%
19	19	7	10	3199	OK FSLA	EL RENO	OK	$53.83	$92.85	($41.06)	$21.17	$41.18	$47.25	76.50%	44.35%	100.29%	115.08%	194.52%
					TOTAL MERGERS/ACQUISITIONS			$6,220.42	$6,766.33	($920.60)	$345.72	$937.90	$1,271.76	15.08%	13.87%	101.87%	138.13%	271.29%

FILE:DSLV##87
11/30/88

FSLIC CASE RESOLUTIONS
OCTOBER 1, 1986 - SEPTEMBER 30, 1987

NO	NO.	MNTH RSLVD	QT	DOCKET	INSTITUTION NAME	CITY	STATE	ASSETS	LIAB	TANG N W	LIAB UNRSLVD CASES	EST PV COS	EST PV COL	COS/ ASSETS	COS/ LIAB	COS/ T-NW	COL/ T-NW	COS/ LIAB UNRSLVD CASES
								$Millions (Data from report prior to action)			$Millions (CFO data)	$Millions (Data from AED costing)						
					INSURANCE ACTIONS													
20	1	10	10	1776	HOMESTEAD SLA		OK	$139.25	$173.56	($38.52)	$0	$71.42	$71.42	51.30%	41.15%	185.43%	185.43%	ERR
21	2	12	9	2827	FIRSTSOUTH, FA		AR	$1,680.33	$1,770.63	($89.78)	$0	$642.76	$642.76	38.25%	36.30%	715.96%	715.96%	ERR
22	3	12	12	3670	GUARANTY FSB		WY	$67.26	$82.30	($18.52)	$0	$30.03	$30.03	44.65%	36.49%	162.15%	162.15%	ERR
23	4	1	9	6483	FIRST SLA	ALBUQUERQUE	NM	$208.54	$336.41	($131.88)	$138.87	$225.00	$225.00	107.97%	66.29%	169.99%	169.99%	160.50%
24	5	1	12	1342	UMPQUA SLA	ROSEBURG	OR	$115.27	$120.25	($12.04)	$74.10	$11.13	$11.13	9.65%	9.26%	92.44%	92.44%	15.02%
25	6	2	7	6487	LIFE SAVINGS OF AMERICA	ROCKFORD	IL	$352.94	$427.09	($73.31)	$83.00	$132.49	$132.49	37.54%	31.02%	180.72%	180.72%	159.63%
26	7	2	10	965	FIRST FSLA OF BELOIT	BELOIT	KS	$82.53	$96.95	($12.34)	$20.00	$19.80	$19.80	23.99%	20.42%	160.52%	160.52%	99.00%
27	8	3	6	4166	FIRST FEDERAL OF MARYLAND	HAGERSTOWN	MD	$108.95	$153.39	($41.32)	$80.40	$69.30	$69.30	63.61%	45.10%	167.71%	167.71%	86.19%
28	9	3	9	7576	FIRST SOUTHERN SA	PASCAGOULA	MS	$50.19	$58.60	($11.93)	$11.00	$13.80	$13.80	27.50%	23.55%	115.66%	115.66%	125.45%
29	10	3	11	7563	EQUITABLE SLA	FOUNTAIN VALLEY	CA	$53.92	$86.56	($30.84)	$30.00	$35.22	$35.22	61.05%	41.05%	114.22%	114.22%	117.40%
30	11	4	9	7609	LIBERTY FSLA	LEESVILLE	LA	$134.96	$156.70	($23.01)	$77.81	$53.11	$53.11	39.36%	33.89%	230.81%	230.81%	68.26%
31	12	4	11	8234	CENTENNIAL SLA, FSLA	GUERNEVILLE	CA	$190.17	$353.60	($167.23)	$135.71	$168.29	$168.29	88.49%	47.59%	100.63%	100.63%	124.01%
32	13	4	12	7690	SUMMIT SLA	PARK CITY	UT	$119.82	$150.52	($39.70)	$70.00	$46.20	$46.20	38.56%	30.69%	116.37%	116.37%	66.00%
33	14	4	12	7750	FUTURE SLA	ALBANY	OR	$57.61	$70.06	($13.07)	$5.00	$16.14	$16.14	28.02%	23.04%	123.49%	123.49%	322.80%
34	15	5	8	8280	CAPITOL FSB	MT PLEASANT	IA	$158.26	$228.87	($86.41)	$85.55	$101.92	$101.92	64.40%	44.53%	117.95%	117.95%	119.14%
35	16	6	12	7806	FRONTIER SLA	FAIRBANKS	AK	$6.81	$7.68	($0.88)	NOT INCL.	$1.90	$1.90	27.92%	24.73%	216.48%	216.48%	ERR
					TOTAL INSURANCE ACTIONS			$3,522.75	$4,279.29	($813.78)	$811.46	$1,636.51	$1,636.51	46.46%	38.24%	201.10%	201.10%	201.68%
					TOTAL FY 1987 RESOLUTIONS			$9,763.17	$11,043.63	($1,735.67)	$1,157.16	$2,576.41	$2,908.24	26.42%	23.33%	148.43%	167.67%	222.40%

Filename: STAB
10-Apr-89

FSLIC STABILIZED CASES

DATE STABILIZED	NO.	DST	DOCKET	OLD INSTITUTION NEW INSTITUTION	CITY	STATE	ASSETS	LIAB.	TANG NW	ESTIMATED PV COST ASSISTANCE AGREEMENT	DATE OF ASSETS, LIAB, & TANG NW
							Millions		Millions		
				OKLAHOMA PLAN							
8/88	1	10	3774	PHOENIX FSLA 1800	MUSKOGEE	OK	\	\	\	\	
	2	10	8395	CIMMARRON FSLA	MUSKOGEE	OK	\	\	\	\	
	3	10	1428	HOME SLA, FA	BARTLESVILLE	OK	\	\	\	\	
		10	8511	CIMMARRON	MUSKOGEE	OK	$967.50	$967.48	$0.01	$383.46	12/31/88
	4	10	4838	FRONTIER FSLA 1803	PONCA CITY	OK	\	\	\	\	
		10	8519	HEARTLAND	PONCA CITY	OK	$1,147.54	$1,144.28	$3.26	$279.29	12/31/88
	5	10	7695	1801 HERITAGE SLA OF ELK CITY	ELK CITY	OK	\	\	\	\	
	6	10	2252	PEOPLES SLA OF ARDMORE	ARDMORE	OK	\	\	\	\	
	7	10	2764	HOME SAVINGS BANK, FA	LAWTON	OK	\	\	\	\	
	8	10	2031	FIRST FSLA OF ELK CITY	ELK CITY	OK	\	\	\	\	
		10	8520	RED RIVER	LAWTON	OK	$514.40	$513.70	$1.03	$147.43	12/31/88
	9	10	2255	KINGFISHER FSLA 1802	KINGFISHER	OK	\	\	\	\	
	10	10	8428	SUNBELT SAVINGS, FSLA	WATONGA	OK	\	\	\	\	
		10	8518	CHISHOLM	KINGFISHER	OK	$195.03	$194.26	$0.76	$58.33	12/31/88
					TOTAL OKLAHOMA PLAN		$2,629.43	$2,625.46	$4.30	$868.52	
				SUNBELT GROUP							
8/88	11	9	1539	FEDERATED SLA 1798	SAN ANTONIO	TX	\	\	\	\	
	12	9	7575	FIRST CITY SA	IRVING	TX	\	\	\	\	
	13	9	8413	INDEPENDENT AMERICAN SLA	IRVING	TX	\	\	\	\	
	14	9	5075	MULTIBANC SA	DALLAS	TX	\	\	\	\	
	15	9	7292	SUMMIT SA	DALLAS	TX	\	\	\	\	
	16	9	7340	TEXANA SLA	TEXARKANA	TX	\	\	\	\	
	17	9	8335	WESTERN FSLA	DALLAS	TX	\	\	\	\	
	18	9	5898	SUNBELT	DALLAS	TX	\	\	\	\	
		9	8513	SUNBELT	DALLAS	TX	$9,387.16	$9,383.38	($6.94)	$6,111.24	12/31/88
					TOTAL STABILIZATIONS		$12,016.59	$12,008.84	($2.64)	$6,979.76	

File: CONSRV
Date: 06/05/89

FSLIC Insured Institutions under FDIC Conservatorship

Number in program	Date placed into Conservtrshp	DST	DOCKET	INSTITUTION	CITY	STATE	$ in millions Date as of 3/31/89			FOOTNOTES
							ASSETS	LIAB	T-NW	
1	02/07/89	4	1718	BALTIMORE FEDERAL FINANCIAL	BALTIMORE	MD	$1,616.25	$1,749.69	($212.05)	
2	02/07/89	11	1841	PACIFIC SAVINGS BANK	COSTA MESA	CA	$1,079.68	$1,317.98	($249.93)	
3	02/07/89	9	7082	GILL SA	HONDO	TX	$1,206.98	$1,914.83	($707.88)	
4	02/07/89	4	8427	FREEDOM SLA	TAMPA	FL	$1,310.24	$1,671.80	($361.56)	
5	02/10/89	12	1827	DESERET FSLA	SALT LAKE CITY	UT	$157.03	$237.15	($80.12)	
6	02/10/89	9	2354	FIRST FEDERAL OF ARKANSAS	LITTLE ROCK	AR	$1,429.43	$1,793.38	($483.95)	
7	02/10/89	9	3429	SAVERS FSLA	LITTLE ROCK	AR	$758.53	$1,119.51	($367.53)	
	02/10/89	9	5749	UNIVERSITY SA	HOUSTON	TX				#4
8	02/10/89	9	6370	BRIGHT BANC SA	DALLAS	TX	$4,200.09	$4,764.82	($848.38)	
9	02/10/89	9	6441	SANDIA FSLA	ALBUQUERQUE	NM	$693.16	$1,277.61	($649.73)	
	02/13/89	8	5518	MIDWEST FSLA OF MINNEAPOLIS	MINNEAPOLIS	MN				#5
10	02/17/89	10	382	ANCHOR SA	KANSAS CITY	KS	$796.70	$833.22	($47.10)	
11	02/17/89	8	658	BLUE VALLEY FSLA	KANSAS CITY	MO	$807.85	$904.14	($96.28)	
12	02/17/89	12	1894	AMERICAN SLA	SALT LAKE CITY	UT	$2,131.63	$2,163.76	($192.01)	
13	02/17/89	10	2172	SUN SA	KANSAS CITY	KS	$171.83	$204.46	($32.62)	
14	02/17/89	7	2410	COMMUNITY SLA	FOND DU LAC	WI	$179.37	$195.95	($16.58)	
15	02/17/89	10	2998	MIDWEST FSLA	NEBRASKA CITY	NE	$137.06	$151.77	($24.14)	
16	02/17/89	7	3366	CONCORDIA FSB	LANSING	IL	$444.26	$409.08	($63.15)	
17	02/17/89	10	3396	PLATTE VALLEY FSLA	GERING	NE	$304.83	$395.84	($91.86)	
18	02/17/89	10	4379	EQUITABLE FSB	FREMONT	NE	$215.93	$237.55	($21.62)	
19	02/17/89	4	4439	GUARANTY FSLA	BIRMINGHAM	AL	$373.33	$392.33	($55.20)	
20	02/17/89	2	4636	NORTH JERSEY SLA	PASSAIC	NJ	$314.32	$350.32	($83.39)	
21	02/17/89	10	4906	OCCIDENTAL/NEBRASKA FSB	OMAHA	NE	$635.72	$705.55	($74.17)	
22	02/17/89	10	5492	NILE VALLEY FSLA	SCOTTSBLUFF	NE	$51.96	$80.30	($28.87)	
23	02/17/89	11	5628	SOUTHWEST SLA	PHOENIX	AZ	$2,108.96	$2,234.62	($236.99)	
24	02/17/89	4	6596	FIRST FSLA	LARGO	FL	$322.72	$406.85	($87.81)	
25	02/17/89	11	6875	SECURITY SLA	SCOTTSDALE	AZ	$568.33	$1,035.36	($467.03)	
26	02/17/69	1	6927	COLUMBIA FSB	WESTPORT	CT	$164.39	$168.19	($23.81)	
27	02/17/89	2	7133	ELYSIAN FSB	HOBOKEN	NJ	$186.37	$192.86	($6.50)	

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28	02/17/89	9	7255	INDEPENDENCE FSLA	BATESVILLE	AR	$202.57	$393.03	($214.81)	
29	02/17/89	11	7611	WESTWOOD SLA	LOS ANGELES	CA	$314.95	$538.62	($223.66)	
30	02/17/89	9	8299	HORIZON FSLA	METAIRIE	LA	$387.27	$486.16	($98.90)	
31	02/17/89	4	8401	SOUTHERN FLORIDABANC	BOCA RATON	FL	$135.20	$258.58	($123.38)	
32	02/17/89	9	8434	FRENCH MARKET HOMESTEAD	METAIRIE	LA	$222.58	$266.14	($43.57)	
33	02/17/89	11	8493	UNIVERSAL SLA	SCOTTSDALE	AZ	$80.51	$97.78	($18.55)	
34	02/17/89	12	8537	MOUNTAINWEST SLA	OGDEN	UT	$228.50	$272.80	($44.30)	
35	02/28/89	10	178	THE BARBER COUNTY	MEDICINE LODGE	KS	$49.22	$55.30	($6.47)	
36	02/28/89	10	424	PEOPLES SLA	PARSONS	KS	$82.07	$89.54	($8.40)	
37	02/28/89	10	1020	VALLEY FSLA OF HUTCHINSON	HUTCHINSON	KS	$200.84	$238.24	($50.26)	
38	02/28/89	10	2485	SHAWNEE FSLA	TOPEKA	KS	$212.09	$223.22	($11.16)	
39	02/28/89	10	3251	FIRST FSLA OF HUTCHINSON	HUTCHINSON	KS	$168.03	$212.17	($44.74)	
40	02/28/89	9	5724	FIRST FSLA	FAYETTEVILLE	AR	$127.95	$137.64	($18.09)	
41	02/28/89	9	6401	FIRST STATE SB	MOUNTAIN HOME	AR	$103.37	$136.13	($32.76)	
42	02/28/89	9	6408	PERMIAN SLA	KERMIT	TX	$10.07	$11.18	($1.40)	
43	02/28/89	9	6865	SOUTHWEST SLA	BROWNSVILLE	TX	$90.02	$125.95	($36.01)	
44	02/28/89	9	7272	PADRE FSLA	CORPUS CHRISTI	TX	$21.55	$31.65	($10.10)	
45	02/28/89	9	7306	COMMONWEALTH SLA	OSCEOLA	AR	$37.37	$43.18	($6.12)	
46	02/28/89	9	7309	MISSION SA OF TEXAS	SAN ANTONIO	TX	$89.29	$116.25	($26.96)	
47	02/28/89	12	7329	HOME SAVINGS BANK	ANCHORAGE	AK	$69.72	$99.85	($30.21)	
48	02/28/89	9	7437	FIRST STATE SA	SAN ANTONIO	TX	$209.33	$376.24	($170.97)	
49	02/28/89	9	7557	SUBURBAN SA	SAN ANTONIO	TX	$48.13	$60.02	($11.89)	
50	02/28/89	9	7592	VISION BANC SA	KINGSVILLE	TX	$69.78	$107.15	($37.38)	
51	02/28/89	9	7601	MADISON GUARANTY	AUGUSTA	AR	$117.50	$137.43	($19.94)	
52	02/28/89	9	7617	UNIPOINT FEDERAL	TRUMANN	AR	$19.08	$33.09	($14.01)	
53	02/28/89	9	7667	ELMWOOD FSLA	HARAHAN	LA	$53.87	$68.18	($14.31)	
54	02/28/89	9	7747	FOUNTAINEBLEAU FEDERAL	SLIDELL	LA	$37.26	$48.51	($11.49)	
55	02/28/89	9	8289	BEXAR SA	SAN ANTONIO	TX	$682.06	$905.70	($223.64)	
56	02/28/89	9	8435	FIRST SAVINGS OF LOUISIANA	LA PLACE	LA	$25.65	$52.37	($26.72)	

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							|----------$ in millions----------|			
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57	02/28/89	10	8447	TOPEKA SAVINGS	TOPEKA	KS	$83.27	$123.47	($41.41)	
58	03/02/89	10	985	MID-AMERICA FSLA	PARSONS	KS	$79.17	$86.40	($7.99)	
59	03/02/89	9	1537	SAN ANTONIO SA	SAN ANTONIO	TX	$2,665.69	$2,735.29	($268.39)	
60	03/02/89	9	3115	LANDMARK SAVINGS	HOT SPRINGS	AR	$128.66	$182.23	($53.56)	
61	03/02/89	10	3187	FIRST FSB OF KANSAS	WELLINGTON	KS	$135.16	$185.05	($44.61)	
62	03/02/89	10	4314	FIRST FSLA OF COFFEYVILLE	COFFEYVILLE	KS	$78.10	$103.22	($28.41)	
63	03/02/89	9	5836	FIRST FSLA	MALVERN	AR	$48.92	$56.16	($8.87)	
64	03/02/89	12	6020	FIRST FEDERAL BANK OF ALASKA	ANCHORAGE	AK	$132.09	$227.42	($95.47)	
65	03/02/89	9	6120	ALAMO SA OF TEXAS	SAN ANTONIO	TX	$583.21	$844.34	($261.14)	
66	03/02/89	9	6298	COMMERCE SA	SAN ANTONIO	TX	$803.36	$883.10	($100.37)	
67	03/02/89	10	6437	COLONIAL SAVINGS	LIBERAL	KS	$61.42	$82.15	($20.74)	
68	03/02/89	9	7625	HOME FSLA	MOUNTAIN HOME	AR	$33.84	$73.57	($39.73)	
69	03/02/89	9	7670	LA HACIENDA SAVINGS	SAN DIEGO	TX	$63.27	$132.36	($70.86)	
70	03/02/89	9	7702	ENTERPRISE FSLA	MARRERO	LA	$63.60	$78.91	($15.31)	
71	03/02/89	4	8275	GIBRALTAR FEDERAL	ANNAPOLIS	MD	$62.94	$68.30	($7.85)	
72	03/08/89	9	17	BANKERS SLA	GALVESTON	TX	$100.80	$116.20	($15.40)	
73	03/08/89	4	141	FIRST FSLA	ATLANTA	GA	$285.38	$300.75	($15.37)	
74	03/08/89	6	322	PEOPLES SA	ST JOSEPH	MI	$105.25	$111.44	($6.19)	
75	03/08/89	3	472	CONCORD-LIBERTY SLA	MONROEVILLE	PA	$193.89	$224.74	($30.85)	
76	03/08/89	10	948	OTERO SLA	COLORADO SPRINGS	CO	$512.16	$600.99	($88.82)	
77	03/08/89	10	1421	MESA FSLA OF COLORADO	GRAND JUNCTION	CO	$113.96	$115.72	($1.76)	
78	03/08/89	10	1541	VALLEY FSLA OF GRAND JUNCTION	GRAND JUNCTION	CO	$77.75	$146.82	($69.08)	
79	03/08/89	10	2337	MODERN FSLA	GRAND JUNCTION	CO	$70.60	$72.71	($2.63)	
80	03/08/89	10	2424	FIRST FSLA OF COLORADO	COLORADO SPRING	CO	$325.66	$369.56	($43.90)	
81	03/08/89	10	3029	ALPINE FSLA	STEAMBOAT SPRING	CO	$53.77	$58.35	($4.59)	
82	03/08/89	10	3651	SUN SLA	PARKER	CO	$229.26	$302.93	($73.86)	
83	03/08/89	5	3946	CENTURY FSB	TRENTON	TN	$69.58	$78.95	($9.37)	
84	03/08/89	3	4944	HILL FINANCIAL SLA	RED HILL	PA	$2,693.03	$3,035.72	($447.35)	
85	03/08/89	3	5166	LIBERTY BELL SA	BEAVER FALLS	PA	$89.07	$93.20	($7.28)	

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86	03/08/89	9	6124	BAYSHORE SA	LA PORTE	TX	$41.69	$69.48	($27.79)	
87	03/08/89	9	6139	SPRING BRANCH SLA	HOUSTON	TX	$94.14	$166.08	($71.94)	
88	03/08/89	9	6433	BANCPLUS SA	PASADENA	TX	$668.70	$1,006.29	($337.59)	
89	03/08/89	9	6675	AMERICAN FSLA	ALBUQUERQUE	NM	$186.70	$212.47	($25.78)	
90	03/08/89	9	6907	AMERIWAY SAVINGS	HOUSTON	TX	$159.03	$266.51	($107.48)	
91	03/08/89	9	6917	AMERICAN SLA OF BRAZORIA	LAKE JACKSON	TX	$261.66	$346.52	($86.34)	
92	03/08/89	9	7176	TRINITY VALLEY SLA	CLEVELAND	TX	$83.45	$91.83	($10.36)	
93	03/08/89	9	7364	CENTURY SLA	BAYTOWN	TX	$57.78	$97.55	($41.76)	
94	03/08/89	9	7391	HUMBLE SLA	HUMBLE	TX	$46.02	$87.92	($41.90)	
95	03/08/89	9	7489	WESTERN GULF SLA	BAY CITY	TX	$147.03	$280.30	($133.88)	
96	03/08/89	5	7512	UNITED GUARANTY FSB	TULLAHOMA	TN	$10.29	$12.01	($1.73)	
	03/08/89	9	7579	COMMONWEALTH SA	HOUSTON	TX				#5
97	03/08/89	9	7593	SOUTHEASTERN SA	DAYTON	TX	$41.88	$86.35	($44.73)	
98	03/08/89	9	7734	VILLAGE SAVINGS FSB	HOUSTON	TX	$96.15	$169.27	($73.12)	
99	03/08/89	10	7782	ROCKY MOUNTAIN SLA	WOODLAND PARK	CO	$16.99	$20.17	($3.18)	
100	03/08/89	9	8532	CONTINENTAL SAVINGS FSLA	BELLAIRE	TX	$270.74	$685.45	($414.71)	
101	03/09/89	9	3094	LIBERTY COUNTY FSLA	LIBERTY	TX	$44.82	$46.39	($3.59)	
102	03/09/89	9	5320	VALLEY FSB	ROSWELL	NM	$159.97	$272.86	($112.89)	
103	03/09/89	9	5872	BENJAMIN FRANKLIN SA	HOUSTON	TX	$2,651.73	$2,759.43	($207.91)	
104	03/09/89	4	6090	FIRST FSLA	SUMMERVILLE	GA	$33.04	$37.57	($4.87)	
105	03/09/89	9	6475	CITIZENS OF TEXAS SLA	BAYTOWN	TX	$64.81	$123.67	($63.69)	
106	03/09/89	4	6772	FIRST SAVINGS BANK OF ALABAMA	HAMILTON	AL	$25.15	$26.66	($1.51)	
107	03/09/89	9	7194	FIRST CAPITAL SA OF TEXAS	HOUSTON	TX	$71.97	$120.91	($51.31)	
108	03/09/89	9	7213	UNIVERSAL SA	HOUSTON	TX	$121.64	$293.81	($172.17)	
109	03/09/89	9	7439	FIRST EQUITY SA	TOMBALL	TX	$87.03	$134.94	($47.91)	
110	03/09/89	5	7549	LINCOLN FSLA	MT CARMEL	TN	$69.90	$76.73	($7.18)	
111	03/09/89	5	7562	GERMANTOWN TRUST SB	GERMANTOWN	TN	$119.97	$130.07	($10.10)	
112	03/09/89	10	7623	COLORADO SLA	GRANBY	CO	$45.96	$55.23	($9.27)	
113	03/09/89	9	7749	SUN COUNTRY SB OF NEW MEXICO	ALBUQUERQUE	NM	$69.82	$103.01	($34.64)	

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114	03/09/89	9	7871	CITY SA	LEAGUE CITY	TX	$36.69	$51.38	($14.69)	
115	03/09/89	6	8439	PHOENIX FSLA	PHOENIX CITY	AL	$133.21	$193.23	($60.02)	
116	03/15/89	9	25	FIRST FSLA	SHREVEPORT	LA	$212.80	$265.72	($52.23)	
117	03/15/89	7	104	AMERICAN SECURITY FSLA	CHICAGO	IL	$67.89	$70.53	($2.64)	
118	03/15/89	9	134	FIDELITY SLA	PORT ARTHUR	TX	$295.81	$323.12	($34.01)	
119	03/15/89	7	168	MIDWEST HOME FSB	BELLEVILLE	IL	$120.82	$132.58	($11.75)	
120	03/15/89	7	238	MADISON COUNTY FSLA	GRANITE CITY	IL	$121.56	$130.59	($9.04)	
121	03/15/89	7	354	MIDWESTERN SA	MACOMB	IL	$108.29	$119.07	($17.66)	
122	03/15/89	10	817	CONTINENTAL FSLA	OKLAHOMA CITY	OK	$636.59	$663.47	($27.49)	
123	03/15/89	7	2195	HOME FSLA OF CENRALIA	CENTRALIA	IL	$45.04	$47.34	($2.30)	
124	03/15/89	9	2813	RUSK FSLA	RUSK	TX	$43.70	$54.67	($15.14)	
125	03/15/89	10	2954	FIRST FSLA	SEMINOLE	OK	$34.21	$35.95	($3.50)	
126	03/15/89	9	3190	JASPER FSLA	JASPER	TX	$133.78	$156.57	($23.83)	
127	03/15/89	7	3416	CHILLIOCOTHE FSLA	CHILLIOCOTHE	IL	$50.25	$52.17	($4.35)	
128	03/15/89	10	4585	THE DUNCAN SLA	DUNCAN	OK	$146.70	$149.18	($2.48)	
129	03/15/89	4	5553	FIRST FSLA OF THE KEYS	KEY WEST	FL	$213.39	$261.89	($48.62)	
130	03/15/89	9	5647	FIRST SOUTH SA	PORT NECHES	TX	$287.82	$523.30	($235.49)	
131	03/15/89	9	5907	HERITBANC SA	HOUSTON	TX	$247.74	$357.78	($116.18)	
132	03/15/89	9	6100	FIRST FSLA	BATON ROUGE	LA	$41.44	$57.21	($16.95)	
133	03/15/89	7	6137	SKOKIE FSLA	SKOKIE	IL	$977.86	$997.31	($19.65)	
134	03/15/89	7	6330	HOME FSLA OF JOLIET	JOLIET	IL	$155.61	$158.22	($16.01)	
135	03/15/89	9	6345	FIRST FSLA	NEW IBERIA	LA	$67.83	$74.73	($7.16)	
136	03/15/89	9	6371	SABINE VALEY SLA	CENTER	TX	$41.58	$45.23	($4.57)	
137	03/15/89	9	6632	SOUTHEAST TEXAS SLA	WOODVILLE	TX	$36.23	$38.16	($1.93)	
138	03/15/89	7	6798	ILLINOIS SAVINGS BANK FA	PEORIA	IL	$71.38	$75.36	($5.53)	
139	03/15/89	9	6882	JEFFERSON SLA	BEAUMONT	TX	$114.81	$156.99	($43.06)	
140	03/15/89	9	7160	FIRST FSLA	EUNICE	LA	$25.25	$28.27	($3.02)	
141	03/15/89	4	7163	COMMUNITY FSLA	TAMPA	FL	$9.73	$19.53	($9.80)	
142	03/15/89	4	7363	MIAMI SB	MIAMI	FL	$157.38	$164.36	($20.19)	

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143	03/15/89	9	7456	SAVINGS OF TEXAS ASSOCIATION	JACKSONVILLE	TX	\$62.98	\$89.95	(\$26.99)	
144	03/15/89	9	7460	GOLDEN TRIANGLE SLA	BRIDGE CITY	TX	\$27.25	\$65.85	(\$38.60)	
145	03/15/89	9	7469	GENERAL SA	HENDERSON	TX	\$54.47	\$61.95	(\$7.48)	
146	03/15/89	9	7482	DEEP EAST TEXAS SA	JASPER	TX	\$51.82	\$56.39	(\$4.58)	
147	03/15/89	9	7486	FIRST SAVINGS ASSN OF SE TEXAS	SILSBEE	TX	\$54.47	\$61.72	(\$7.32)	
148	03/15/89	9	7508	PEOPLES FSLA	THIBODAUX	LA	\$19.07	\$21.49	(\$2.57)	
149	03/15/89	9	7591	TIMBERLAND SA	NACGDOCHES	TX	\$53.70	\$57.96	(\$4.26)	
150	03/15/89	4	7731	BRICKELLBANC SA	MIAMI	FL	\$36.98	\$45.37	(\$8.39)	
151	03/15/89	4	7769	LINCOLN SLA	MIAMI	FL	\$247.44	\$257.88	(\$16.44)	
152	03/15/89	9	7804	FAMILY FSLA	SHREVEPORT	LA	\$25.82	\$30.23	(\$4.40)	
153	03/15/89	4	7829	FIRST VENICE SLA	VENICE	FL	\$55.02	\$59.91	(\$4.89)	
	03/15/89	4	7862	TROPICAL FSLA	MIAMI	FL				#1
154	03/15/89	9	7883	SPINDLETOP SA	BEAUMONT	TX	\$187.90	\$359.34	(\$171.44)	
155	03/15/89	9	7885	EVANGELINE FSLA	LAFAYATTE	LA	\$34.40	\$81.26	(\$46.86)	
156	03/15/89	4	7923	ROYAL PALM SB	WEST PALM BEACH	FL	\$557.12	\$583.33	(\$27.29)	
157	03/15/89	7	8362	FIRST SAVINGS OF AMERICA	ORLAND PARK	IL	\$21.32	\$47.97	(\$26.95)	
158	03/15/89	4	8409	LIBERTY FSLA	NEW PORT RICHEY	FL	\$57.81	\$90.48	(\$32.66)	
159	03/15/89	9	8415	SECURITY SAVINGS ASSOCIATION	TEXARKANA	TX	\$235.01	\$572.14	(\$337.47)	
160	03/15/89	9	8436	ACADIA SLA	CROWLEY	LA	\$87.18	\$174.03	(\$86.85)	
161	03/15/89	4	8548	FINANCIAL SECURITY SLA	DELRAY BEACH	FL	\$132.82	\$162.59	(\$29.77)	
162	03/16/89	9	7777	RIVER CITY FSB	BATON ROUGE	LA	\$60.38	\$119.68	(\$59.31)	
163	03/29/89	4	840	BALDWIN COUNTY, FSB	ROBERTSDALE	AL	\$168.60	\$172.63	(\$4.03)	
164	03/29/89	5	1703	BROADVIEW SAVINGS	CLEVELAND	OH	\$1,710.38	\$1,729.42	(\$30.91)	
165	03/29/89	4	3013	CARTERSVILLE FSB	CARTERSVILLE	GA	\$56.90	\$65.66	(\$8.75)	
166	03/29/89	7	3253	DURAND FSLA	DURAND	WI	\$101.90	\$130.30	(\$35.04)	
167	03/29/89	5	3899	MIDLAND-BUCKEYE	ALLIANCE	OH	\$203.28	\$218.32	(\$17.77)	
168	03/29/89	4	4939	CITY FSLA	BIRMINGHAM	AL	\$705.90	\$727.58	(\$39.40)	
169	03/29/89	4	5634	HERITAGE FSLA	MONROE	NC	\$301.43	\$307.68	(\$44.96)	
170	03/29/89	4	7567	COMMUNITY FSLA	NEWPORT NEWS	VA	\$9.21	\$10.50	(\$1.28)	

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171	03/29/89	4	8229	GREAT ATLANTIC FSB	MANTEO	NC	$112.88	$129.68	($16.80)	
172	03/30/89	12	6861	GIBRALTAR SAVINGS	BELLEVUE	WA	$1,770.70	$1,684.70	($38.27)	
173	03/30/89	11	7277	GIBRALTAR SAVINGS	BEVERLY HILLS	CA	$12,132.86	$11,933.14	($67.51)	
174	04/05/89	9	33	RESOURCE SA	DENISON	TX	$616.27	$672.69	($61.90)	
175	04/05/89	9	60	CENTENNIAL SB	GREENVILLE	TX	$106.92	$118.10	($12.12)	
176	04/05/89	7	72	LIBERTYVILLE FSLA	LIBERTYVILLE	IL	$100.93	$112.81	($11.88)	
177	04/05/89	8	259	FIRST FSLA OF SOUTHEAST MO.	CAPE GIRARDEAU	MO	$389.70	$416.76	($46.58)	
178	04/05/89	10	261	FIRST OF KANSAS BANKING & SA	HAYS	KS	$53.92	$55.41	($1.87)	
179	04/05/89	7	1166	FIRST FSLA OF EAST ALTON	EAST ALTON	IL	$55.56	$59.44	($3.88)	
180	04/05/89	8	2769	CASS FSLA OF ST LOUIS	FLORISSANT	MO	$53.04	$67.08	($14.64)	
181	04/05/89	10	2864	AMERICAN FSLA OF COLORADO	DENVER	CO	$720.44	$853.60	($133.16)	
182	04/05/89	8	3406	1ST FSLA ESTERVLLE/EMMETSBURG	ESTHERVILLE	IA	$60.81	$61.79	($0.98)	
183	04/05/89	8	3485	FINANCIAL FSLA	JOPLIN	MO	$164.26	$202.17	($40.93)	
184	04/05/89	9	5347	CENTRAL TEXAS SLA	WACO	TX	$216.11	$239.59	($31.81)	
185	04/05/89	8	5488	SIOUX VALLEY SLA	CHEROKEE	IA	$63.50	$97.94	($36.16)	
186	04/05/89	10	5776	EQUITY FSB	DENVER	CO	$4.47	$5.14	($0.67)	
187	04/05/89	9	6222	EXCEL BANC SA	LAREDO	TX	$146.71	$176.59	($29.89)	
188	04/05/89	9	6614	STATE MUTUAL FSLA	JACKSON	MS	$8.90	$10.53	($1.86)	
	04/05/89	9	6623	MURRAY SA	DALLAS	TX				#2
189	04/05/89	9	6761	HERITAGEBANC SA	DUNCANVILLE	TX	$183.13	$196.19	($18.46)	
190	04/05/89	9	7152	REPUBLIC BANK FOR SAVINGS	JACKSON	MS	$43.37	$90.84	($47.47)	
191	04/05/89	11	7347	CITY FSLA	OAKLAND	CA	$20.31	$29.72	($9.73)	
192	04/05/89	11	7353	FOUNDERS SLA	LOS ANGELES	CA	$134.88	$176.67	($43.98)	
193	04/05/89	11	7438	INDEPENDENCE SLA	VALLEJO	CA	$440.00	$447.43	($12.72)	
194	04/05/89	9	7514	CENTRAL SLA	JACKSON	MS	$52.09	$73.18	($21.70)	
195	04/05/89	9	7538	DELTA FSLA	DREW	MS	$10.28	$15.42	($5.14)	
196	04/05/89	11	7781	ARROWHEAD PACIFIC SB	SAN BERNARDINO	CA	$60.23	$90.46	($30.24)	
197	04/05/89	9	7784	MERIDIAN SA	ARLINGTON	TX	$48.87	$463.77	($414.90)	
198	04/05/89	11	7799	GATEWAY SB	SAN FRANCISCO	CA	$73.01	$138.97	($66.27)	

ile: CONSRV
ate: 06/05/89

FSLIC Insured Institutions under FDIC Conservatorship

Number in rogram	Date placed into Conservtrshp	DST	DOCKET	INSTITUTION	CITY	STATE	ASSETS	LIAB	T-NW	FOOTNOTES
							|----------$ in millions----------| |------Data as of 3/31/89--------|			
199	04/05/89	11	7835	WASHINGTON SLA	STOCKTON	CA	$66.75	$69.64	($3.04)	
200	04/05/89	11	7886	ROYAL OAK SLA	MANTECA	CA	$34.36	$35.70	($1.36)	
201	04/05/89	11	7901	CABRILLO SB	HAYWARD	CA	$71.84	$72.56	($1.03)	
202	04/05/89	11	7985	CITY SLA	WESTLAKE VILLAGE	CA	$33.33	$34.86	($1.53)	
203	04/05/89	9	8020	GOLDEN CIRCLE SA, FSB	CORSICANA	TX	$20.52	$21.43	($0.91)	
204	04/05/89	9	8061	FIDELITY FSB	CORINTH	MS	$116.41	$167.76	($56.80)	
205	04/05/89	9	8072	AMERICAN FSB	AUSTIN	TX	$33.51	$37.77	($4.26)	
206	04/05/89	9	8085	BEDFORD SA	BEDFORD	TX	$90.78	$115.97	($25.20)	
207	04/05/89	9	8086	PARK CITIES SA	DALLAS	TX	$43.94	$52.57	($8.64)	
208	04/05/89	11	8352	UNIFIED SAVINGS, FSLA	NORTHRIDGE	CA	$35.08	$55.80	($20.72)	
209	04/05/89	11	8388	PERPETUAL SA, FSLA	SANTA ANA	CA	$18.74	$29.54	($10.81)	
210	04/05/89	11	8445	FIRST CALIFORNIA SA	ORANGE	CA	$161.36	$238.39	($77.03)	
211	04/14/89	11	3805	LINCOLN SLA	LOS ANGELES	CA	$5,251.51	$5,067.20	$90.35	
212	04/26/89	11	1737	WESTCO SB, FSB	WILMINGTON	CA	$188.29	$189.57	($10.74)	
213	04/26/89	11	5073	SOUTHWEST SLA	LOS ANGELES	CA	$896.83	$950.77	($62.39)	
214	04/26/89	2	5248	METROPOLITAN FSLA	DENVILLE	NJ	$168.47	$175.54	($7.30)	
215	04/26/89	4	8027	SEABANK SAVINGS, FSB	MYRTLE BEACH	SC	$35.35	$37.67	($2.32)	
216	05/11/89	9	215	CITIZENS HOMESTEAD ASSN.	NEW ORLEANS	LA	$114.12	$122.01	($10.16)	
217	05/11/89	9	225	AMERICAN SLA	NEW ORLEANS	LA	$61.78	$71.12	($9.34)	
218	05/11/89	9	1205	SECURITY HOMESTEAD ASSN.	NEW ORLEANS	LA	$598.21	$634.38	($52.31)	
219	05/11/89	9	4161	SOUTH SLA	SLIDELL	LA	$266.42	$283.50	($20.93)	
220	05/11/89	9	4230	CENTRAL SLA	NEW ORLEANS	LA	$58.52	$72.91	($19.84)	
221	05/11/89	9	6867	TERREBONNE SLA	HOUMA	LA	$30.01	$30.74	($2.99)	
222	05/11/89	9	7342	DELTA SLA	KENNER	LA	$146.50	$188.79	($42.46)	
223	05/25/89	9	N/A	COMMONWEALTH FSLA	HOUSTON	TX	N/A	N/A	N/A	
224	05/25/89	9	N/A	UNIVERSITY FSLA	HOUSTON	TX	N/A	N/A	N/A	
					TOTAL		$78,476.36	$91,002.08	($14,752.04)	

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File:   CONSRV                    FSLIC Insured Institutions under FDIC Conservatorship
Date:          06/05/89
                                                                          ||                                  ||
 Number       Date                                                        || |----------$ in millions----------|  ||
   in     placed into                                                     || |------Data as of 3/31/89--------|   ||
program   Conservtrshp   DST   DOCKET INSTITUTION          CITY        STATE        ASSETS       LIAB       T-NW     FOOTNOTES
FOOTNOTES:
        #1: Resolved thru merger/acquisition on 4/12/89. See CY89 Report
        #2: Placed in pass-thru receivership on 5/4/89. New association= Murray FSLA, Dallas, Tx.
        #3: Placed in pass-thru receivership on 5/4/89.  New association= Midwest SA, FA, Minneapolis, MN.
        #4: Placed in pass-thru receivership on 5/25/89.  New association= University FSLA, Houston, TX. Placed in conservatorship on 5/25/89.
        #5: Placed in pass-thru receivership on 5/25/89.  New association= Commonwealth FSLA, Houston, TX. Placed in conservatorship on 5/25/89.
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ACD PROBLEM CASE SUMMARY

31-May-89

ACD CASE	DATE	PROBLEM ASSOCIATION	STATE	DIST	DOCK	ACQUIRER OR LIQUIDATION
1	Feb-80	First S&LA	MA	12	6951	First FS&LA
2	Mar-80	Washington FS&LA	OH	5	6129	First FS&LA
3	May-80	Carlsbad S&LA	NM	9	3747	Security S&LA
4	May-80	Continental S&LA	NJ	2	6561	Security S&LA
5	May-80	Telegraph S&LA	IL	7	4289	Security S&LA
6	Jun-80	First Calumet City Savings	IL	7	4549	Land of Lincoln
7	Jul-80	Mayflower FS&LA	RI	1	6674	Old Colony
8	Aug-80	University FS&LA	FL	4	6257	Florida FA&LA
9	Sep-80	Security S&LA	IA	8	6706	Midland
10	Oct-80	First of Niles FS&LA	MI	6	3565	Standard
11	Nov-80	Sioux City FS&LA	IA	8	6088	United FS&LA
		TOTAL FOR 1980				
12	Jan-81	Home SA	MN	8	2184	First FS&LA of Minnesota
13	Jan-81	Security of Statesville	NC	4	7382	Ashville S&LA
14	Feb-81	Franklin SA	IL	7	6251	Avondale S&LA
15	Apr-81	Guardian FSB	NY	2	3592	Anchor FSB
16	May-81	Arctic FS&LA	AK	12	6261	First of Anchorage
17	May-81	Financial Security S&LA	IL	7	1097	Land of Lincoln
18	May-81	NY & Suburban FS&LA	NY	2	3195	Anchor FSB
19	May-81	Economy S&LA	IL	7	5417	Liquidation
20	Jun-81	Community FS&LA	DC	4	7362	Independence FS&LA
21	Jun-81	First FS&LA of New Bern	NC	4	5090	Raleigh FS&LA
22	Jul-81	First Financial FS&LA	TX	9	7625	South Texas
23	Jul-81	County FS&LA	MD	4	6044	Metropolitan FS&LA
24	Sep-81	Lafayette FS&LA	MO	8	1935	United Postal
25	Sep-81	Franklin Society FS&LA	NY	2	5448	First of Rochester
26	Sep-81	Washington S&LA	NY	2	5622	Citizens
26	Sep-81	West Side FS&LA	NY	2	1991	Citizens
27	Sep-81	Perpetual S&LA	MO	8	7087	First FS&LA
28	Sep-81	Reserve S&LA	IL	7	5774	Hyde Park FS&LA
28	Sep-81	Palos S&LA	IL	7	6444	Hyde Park FS&LA
29	Nov-81	First FS&LA of Broward County	FL	4	2700	Glendale FS&LA
30	Nov-81	Pan American FS&LA	PR	2	7449	1st of Puerto Rico
31	Nov-81	Empire State FS&LA	NY	2	2117	Erie FS&LA
32	Nov-81	Guaranty FS&LA	LA	9	6185	Pelican FS&LA
33	Dec-81	Boca Raton FS&LA	FL	4	7118	City FS&LA
33	Dec-81	Mohawk S&LA	NJ	2	1393	City FS&LA
34	Dec-81	Security FS&LA of Sikeston	MO	8	6141	Home SA of America
34	Dec-81	Southern FS&LA of Broward County	FL	4	6520	Home SA of America
34	Dec-81	Hamiltonian FS&LA	MO	8	390	Home SA of America
		TOTAL FOR 1981				
35	Jan-82	First S&LA of New Brunswick	NJ	2	3983	City FS&LA
36	Jan-82	Inglewood FS&LA	CA	11	7709	Great American
37	Jan-82	Buffalo S&LA	TX	9	6945	Home SA of America
37	Jan-82	Civic S&LA	TX	9	7141	Home SA of America
37	Jan-82	El Centro FS&LA	TX	9	7322	Home SA of America
37	Jan-82	Republic of Texas SA	TX	9	5903	Home SA of America

AID CASE	DATE	PROBLEM ASSOCIATION	STATE	DIST	DOCK	ACQUIRER OR LIQUIDATION
37	Jan-82	Royal FS&LA	TX	9	6319	Home SA of America
37	Jan-82	Hyde Park FS&LA	IL	7	6641	Home SA of America
38	Jan-82	Central Illinois B&LA	IL	7	5772	Mutual Home SA
39	Jan-82	Peach State FS&LA	GA	4	6107	California FS&LA
39	Jan-82	First FS&LA of Sylvania	GA	4	6839	California FS&LA
39	Jan-82	Guaranty FS&LA	GA	4	5292	California FS&LA
39	Jan-82	United FS&LA	FL	4	7050	California FS&LA
40	Feb-82	Morgan Park S&LA	IL	7	5787	Illinois Service FS&LA
41	Feb-82	Unity S&LA	IL	7	6290	Talman Home FS&LA
41	Feb-82	Northwest FS&LA of Chicago	IL	7	353	Talman Home FS&LA
41	Feb-82	Alliance S&LA	IL	7	4385	Talman Home FS&LA
42	Mar-82	Ninth FS&LA	NY	2	3408	First FS&LA of Rochester
42	Mar-82	Knickerbocker S&LA	NY	2	3963	First FS&LA of Rochester
43	Mar-82	Hartford FS&LA	CT	1	3231	Schenectady SB
44	Apr-82	First Finc S&LA-Downers Grove	IL	7	6513	First of Chicago
45	Apr-82	Fidelity FS&LA	CA	11		Fidelity S&LA
46	Apr-82	County FS&LA	NY	2	2811	Suffolk County
47	May-82	Montebello FS&LA	CA	11	7679	San Marino S&LA
48	May-82	United FS&LA	MD	4	6198	Baltimore FS&LA
49	Jun-82	Fidelity FS&LA	MO	8	509	Midwest FS&LA
50	Jun-82	First FS&LA of Pittston	PA	3	3675	Franklin First FS&LA
51	Jul-82	Tri-Lakes FS&LA	MO	8	7338	Great Southern SA
52	Jul-82	Allied FS&LA	NY	2	6209	Carver FS&LA
53	Jul-82	First FS&LA of Burlington Cty	NJ	2	101	Security S&LA
53	Jul-82	Princeton S&LA	NJ	2	4980	Security S&LA
54	Jul-82	Guardian FS&LA	MD	4	5456	Perpetual FS&LA
55	Jul-82	United FS&LA of Puerto Rico	PR	2	6188	Caguas FS&LA
56	Jul-82	River Edge S&LA	NJ	2	4470	Carteret S&LA
57	Jul-82	American FS&LA	MI	6	5160	Erie SB
57	Jul-82	Harris County FS&LA	TX	9	519	Erie SB
57	Jul-82	First of Mid Florida	FL	4	3258	Erie SB
58	Jul-82	Mutual S&LA of El Paso	TX	9	897	First FS&LA of Arizona
59	Aug-82	First FS&LA of Suffolk	VA	4	5933	Citizens S&LA
60	Aug-82	Fidelity S&LA of San Francisco	CA	11	1235	Citicorp
61	Aug-82	Coronado S&LA	NM	9	7249	Sun Country S&LA
62	Aug-82	Revere FS&LA	NY	12	4408	Capital Savings FS&LA
63	Aug-82	Union of Cook County	IL	7	2630	First FS&LA of Chicago
64	Aug-82	First FS&LA	IL	7	909	Talman Home FS&LA
65	Sep-82	First FS&LA of Acadia	LA	9	7578	Acadia S&LA
65	Sep-82	Republic FS&LA	LA	9	7632	Acadia S&LA
66	Sep-82	Investors S&LA	IL	7	5890	Fidelity of Galesburg
66	Sep-82	Vandalia Citizens S&LA	IL	7	6765	Fidelity of Galesburg
67	Sep-82	First FS&LA of New York	NY	2	2653	First of Rochester
68	Sep-82	Union FS&LA of New York	NY	2	6175	Bayside FS&LA
69	Sep-82	First Dakota Home SA	SD	8	7044	Amer Pacif Bancorp of SD
69	Sep-82	First FS&LA of Sioux Falls	SD	8	5533	Amer Pacif Bancorp of SD
70	Sep-82	First FS&LA of Springhill	LA	9	7123	Twin City FS&LA
71	Sep-82	Dixie FS&LA	LA	9	3285	Landmark Land Company
71	Sep-82	Heritage FS&LA	LA	9	6815	Landmark Land Company
72	Sep-82	Barton S&LA	NJ	2	4971	Carteret FS&LA
72	Sep-82	1st of Delray Beach S&LA	FL	4	5403	Carteret FS&LA
73	Oct-82	Freedom FS&LA	MA	1	1128	Northeast Savings FA
73	Oct-82	First FS&LA	MA	1	1321	Northeast Savings FA

AED CASE	DATE	PROBLEM ASSOCIATION	STATE	DIST	DOCK	ACQUIRER OR LIQUIDATION
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74	Oct-82	Modern S&LA	TX	9	7304	Sooner FS&LA
74	Oct-82	Corsicana S&LA	TX	9	2729	Sooner FS&LA
75	Oct-82	Union FS&LA	LA	9	6691	Pelican HSA
76	Nov-82	Island S&LA	NY	2	855	Empire of America FSA
76	Nov-82	South Shore FS&LA	NY	2	3116	Empire of America FSA
	Nov-82	North Kansas SA	KS	10	5811	Liquidation
77	Dec-82	Peachtree FS&LA	GA	4	5235	Anchor SB
77	Dec-82	First FS&LA of Crisp County	GA	4	3012	Anchor SB
78	Dec-82	Garfield FS&LA	PA	3	3981	Horizon FA
78	Dec-82	Mid-City FS&LA	PA	3	3131	Horizon FA
79	Dec-82	Home Trust S&LA	SD	8	7200	Midwest B&S, Inc.
80	Dec-82	First Home FS&LA	KY	5	4448	Lincoln FS&LA
80	Dec-82	Security FS&LA	KY	5	6966	Lincoln FS&LA
80	Dec-82	South East FS&LA	KY	5	2960	Lincoln FS&LA
81	Dec-82	Chicagoland FS&LA	IL	7	4556	Great American FS&LA
82	Dec-82	Clay County FS&LA	MS	9	2531	Depositors S&LA
83	Dec-82	Lansing FS&LA	IL	7	3706	First FS of Hegewisch
		TOTAL FOR 1982				
84	Jan-83	Valley First FS&LA	CA	11	7643	Liquidation
85	Feb-83	Manning S&LA	IL	7	4730	Liquidation
86	Feb-83	Metropolitan SA	MI	6	5550	Empire FSA
87	Feb-83	Gem FS&LA	OH	5	2968	Gem SA
87	Feb-83	United S&LA	OH	5	1373	Gem SA
88	Feb-83	Carondelet S&LA also case 115	MO	8	5961	Community FS&LA
88	Feb-83	First FS&LA Of Moberly case 115	MO	8	1387	Community FS&LA
89	Mar-83	Leader S&LA	LA	9	4438	Pelican Homestead S&LA
90	Mar-83	First FS&LA of Newport News	VA	4	6626	First FS&LA of Michigan
90	Mar-83	Peninsula FS&LA	VA	4	6698	First FS&LA of Michigan
91	Mar-83	Twin Pines FS&LA	CA	11	6766	1201 Beach Blvd Corp
92	Apr-83	Biscayne FS&LA	FL	4	5999	New Biscayne
93	Apr-83	North Mississippi S&LA	MS	9	7546	New North Mississippi
94	Apr-83	Northwestern S&LA	MO	8	5219	Roosevelt FS&LA
95	Apr-83	Jackson FS&LA	MS	9	7289	Mid South Holding Co.
96	Apr-83	Guaranty S&LA	PA	3	277	Horizon Fin. FA
97	May-83	Women's FS&LA	OH	5	3538	Poulston Group
98	May-83	Continental S&LA	LA	9	696	South of New Orleans
99	May-83	First FS&LA of Walworth County	WI	7	6532	Anchor S&LA
100	Jun-83	1st FS&LA, Sioux Falls	SD	8	5533	Home S&LA Sioux Falls
100	Jun-83	First Dakota Home S&LA	SD	8	7044	Home S&LA Sioux Falls
101	Jun-83	Provident S&LA	PA	3	4187	Atlantic Fin. FS&LA
102	Jun-83	Northern FS&LA	MN	8	1240	Twin City FS&LA
102	Jun-83	Colonial S&LA	TX	9	6673	Twin City FS&LA
103	Jun-83	Mutual FS&LA of Mason City	IA	8	8	American FS&LA
104	Jul-83	Antioch S&LA	IL	7	6686	Liquidation
105	Jul-83	Guaranty FS&LA	MI	6	5426	Vidlak, Shapiro, Partrich
106	Aug-83	Suffolk City FS&LA	NY	2	2811	Long Island SB
107	Aug-83	Mt. Vernon S&LA	VA	4	7568	Metropolitan SB
107	Aug-83	Middle Pnsla Nrth. Neck FS&LA	VA	4	7242	Metropolitan SB
107	Aug-83	First Florida S&LA	FL	4	1630	Metropolitan SB
108	Aug-83	Gibraltar S&LA	MO	8	6027	Roosevelt FS&LA

AID CASE	DATE	PROBLEM ASSOCIATION	STATE	DIST	DOCK	ACQUIRER OR LIQUIDATION
109	Aug-83	Suburban S&LA	NJ	2	2550	Anchor SB
110	Aug-83	1st FS&LA of E. Chicago	IN	6	3177	Citizens FS&LA
110	Aug-83	Gary FS&LA	IN	6	3826	Citizens FS&LA
111	Aug-83	Citizens FS&LA of Marysville	OH	5	1448	Equitable FS&LA
112	Aug-83	Washington FS&LA	NY	2	4883	Hamilton Corporation
112	Aug-83	Community FS&LA	FL	4	6134	Hamilton Corporation
113	Sep-83	Bastrop FS&LA	LA	9	1075	Pelican FS&LA
113	Sep-83	Security S&LA	LA	9	6495	Pelican FS&LA
114	Oct-83	First Carolina FS&LA	SC	4	5276	First Federal of Michigan
116	Nov-83	Cleveland Community Savings Co.	OH	5	5675	Liquidation
117	Nov-83	State of Clovis, SA	NM	9	6659	Liquidation
118	Nov-83	First FS&LA of Ft. Wayne	IN	6	2323	Standard FS&LA
118	Nov-83	Ft. Wayne FS&LA	IN	6	7176	Standard FS&LA
118	Nov-83	American FS&LA	IN	6	6651	Standard FS&LA
118	Nov-83	South Bend FS&LA	IN	6	3677	Standard FS&LA
119	Nov-83	First FSB of Puerto Rico	PR	2	5266	"Phoenix"
120	Nov-83	Bohemian S&LA St. Louis	MO	8	5412	John V. Capozzi
121	Dec-83	Metro FS&LA	LA	9	6406	Liquidation
122	Dec-83	Citizens S&LA	OH	5	467	Middletown FS&LA
123	Dec-83	Biscayne Savings Bank	FL	4	5999	Citicorp
	Dec-83	1st FS&LA of Monroeville	AL	4	7177	Jefferson FS&LA
124	Dec-83	1st FS&LA of Chicago	IL	7	2628	Citicorp
		TOTAL FOR 1983				
		..				
125	Jan-84	Union Mutual S&LA	VA	4	7219	Liquidation
126	Mar-84	Home S&LA	OH	5	4750	Ohio Valley S&L Co.
127	Mar-84	Empire S&LA	TX	9	7375	Liquidation
128	Mar-84	1st FS&LA-Grandforks & Minot	ND	8	3061	Midwest FSB
129	Apr-84	American S&LA	MS	9	7519	Liquidation
130	Apr-84	Scandia S&LA	IA	9	6105	First Financial S&LA
131	May-84	Investors S&LA	TX	9	7284	Empire of America
132	Jun-84	American S&LA	GU	12	7295	First FS&LA of America
133	Jul-84	Windom FS&LA	MN	8	3058	Winstar Corporation
134	Jul-84	New North FS&LA	MS	9	7546	Security S&LA
135	Jul-84	Queen City S&LA, WA	WA	12	6861	Gibraltar Financial Corp.
136	Aug-84	Century FS&LA	NY	2	1811	Home Savings of America
137	Aug-84	Fidelity FS&LA	MD	4	1556	Household Bank FSB, CA
137	Aug-84	American Heritage Savings FA	IL	7	6665	Household Bank FSB, CA
138	Aug-84	Mitchell Home S&LA	SD	8	6914	Metropolitan FS&LA, ND
139	Sep-84	Rhode Island FS&LA	RI	1	4271	Old Stone Bank, RI
140	Sep-84	Continental FS&LA	OH	5	271	Dollar Savings Bank, PA
141	Sep-84	Union FS&LA	IN	6	3482	Waterfield Mortgage Corp.
142	Oct-84	Fidelity FS&LA	MS	9	6143	Messrs Kaby & Bussey
143	Oct-84	Home FS&LA	PR	2	7260	Caguas FS&LA, PR
144	Oct-84	Suburbia FS&LA	NJ	2	2317	Fidelity New York, FA
145	Nov-84	East Tennessee FS&LA	TN	5	7573	Liquidation
145	Nov-84	Savannah FS&LA	TN	5	7566	Liquidation
145	Nov-84	Knox FS&LA	TN	5	6009	Liquidation
145	Nov-84	John Sevier S&LA	TN	5	7560	Liquidation
145	Nov-84	American S&LA	TN	5	7531	Liquidation
146	Dec-84	San Marino S&LA	CA	11	7696	Liquidation

AID CASE	DATE	PROBLEM ASSOCIATION	STATE	DIST	DOCK	ACQUIRER OR LIQUIDATION
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		TOTAL FOR 1984				
147	Jan-85	Fidelity S&L	OH	5	4675	Household Bank,FSB
148	Jan-85	Peoples S&LA	WA	12	7808	First FS&LA of America
149	Mar-85	Western Community S&L	CA	11	7945	Liquidation
150	Mar-85	New Federal S&LA	TN	5	360	Charter Federal SLA,VA
151	May-85	First Federal of Titusville	FL	4	6136	Philadelphia Savings Fund
151	May-85	Capital City FS&LA	DC	4	359	Philadelphia Savings Fund
151	May-85	Northern Virginia S&LA	VA	4	5808	Philadelphia Savings Fund
152	Apr-85	State S&LA	UT	12	1616	Liquidation
153	Apr-85	Brighton FS&LA	CO	10	3215	Household FSB,CA
154	May-85	First Financial Bank	LA	9	1617	Rehabilitation
155	May-85	Home FS&LA	OH	5	4647	Home of America
	May-85	4 ODGF Assoc				Home of America
156	May-85	Magnolia FS&LA	TN	5	7328	Liquidation
156	Jun-85	Community FS&LA	TN	5	6733	Liquidation
157	Jun-85	Century SA	KS	10	7628	Household Savings Bank
158	Jul-85	Citizens S&LA	MS	9	7522	Hanke, Hutcherson & Long
159	Jul-85	Western Heritage FS&LA	WA	12	2861	Benjamin Franklin
160	Aug-85	Montana S&LA	MT	12	7793	Liquidation
161	Aug-85	Bell Savings Bank	TX	9	3597	Liquidation
162	Aug-85	Alliance FS&LA	LA	9	7831	Liquidation
163	Aug-85	Westside FS&LA	WA	12	937	Asset Backed Transfer
164	Sep-85	Family FS&LA	VA	4	7305	Columbia First FS&LA
165	Oct-85	Security FS&LA	NM	9	6118	Phillip Lloyd
166	Oct-85	Sun S&LA	ME	1	1563	Home Owners FS&LA
167	Oct-85	Security Trust S&LA	TN	5	7524	Bailey Mortgage Corp.
168	Nov-85	Home FS&LA	KY	5	6108	Republic Savings, FSB
169	Nov-85	Midland FS&LA	MN	8	5821	S. B. FINANCIAL
170	Dec-85	State FS&LA	OR	12	6793	Liquidation
171	Dec-85	Sun FS&LA	FL	4	5632	Anchor Savings Bank
172	Dec-85	Citizens FS&LA	WA	12	2565	Old Stone Corporation
173	Dec-85	Guaranty FS&LA	AR	9	6730	De Novo
174	Dec-85	First FS&LA	OH	5	3403	First of West Penn
175	Dec-85	Home FS&LA	IA	8	11	First of Sioux City
176	Aug-85	Citizens FS&LA	IL	7	263	McKinley Group, FSB
177	Oct-85	Baton Rouge S&LA	LA	9	452	Pelican Homestead &SA
178	Nov-85	Lewis FS&LA	WA	12	655	Sterling SA
		TOTAL FOR 1985				
180	Jan-86	Great West S&LA	NV	11	7904	Atlantic Financial Fed.
181	Feb-86	Intercapital S&LA	FL	4	8010	Liquidation
182	Feb-86	Sierra FS&LA	CO	10	7590	Liquidation
183	Mar-86	Hacienda FS&LA	CA	11	7280	Great American First SB
183	Mar-86	First FS&LA of Redding	CA	11	6841	Great American First SB
184	Mar-86	Guaranty S&LA	WA	12	6187	Liquidation
185	Mar-86	United Bank, SSB	CA	11	7358	Hibernia Bancshares Corp.
186	Apr-86	Mainland S&LA	TX	9	5199	Asset Backed Transfer
187	Apr-86	Flushing FS&LA	NY	2	1726	Long Island Savings Bank

AED CASE	DATE	PROBLEM ASSOCIATION	STATE	DIST	DOCK	ACQUIRER OR LIQUIDATION
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188	Apr-86	Washington First FS&LA	MD	8	1852	Germania S&LA
189	May-86	Sun Belt FS&LA	LA	9	2609	Asset Backed Transfer
190	May-86	Seapointe S&LA	CA	11	8132	Liquidation
191	May-86	Mariner FS&LA	WA	12	8200	Prudential Bank, FSB
192	Jun-86	First of Montgomery County	VA	4	1210	Carteret S&LA
192	Jun-86	Mountain Security SB	VA	4	7323	Carteret S&LA
193	Jun-86	Audubon FS&LA	LA	9	7576	Asset Backed Transfer
193	Jun-86	Community S&LA	LA	9	7736	Asset Backed Transfer
193	Jun-86	Crescent FSB	LA	9	7850	Asset Backed Transfer
193	Jun-86	New Orleans FS&LA	LA	9	7049	Asset Backed Transfer
193	Jun-86	Northlake FS&LA	LA	9	7760	Asset Backed Transfer
194	Jun-86	Citizens Home Savings Company	OH	5	994	First Nationwide Savings
194	Jun-86	The State S&L Co.	OH	5	1698	First Nationwide Savings
195	Jun-86	National Permanent Bank FSB	DC	4	406	Citicorp
196	Jul-86	Equitable FSB	OH	5	2133	Citizens FS&LA
197	Jul-86	Major FS&LA	OH	5	5008	Liquidation
198	Jul-86	Central Illinois S&LA	IL	7	1381	Liquidation
199	Jul-86	Atlas S&LA	CA	11	7857	Empire of America
199	Jul-86	Golden Pacific S&LA	CA	11	8233	Empire of America
200	Jul-86	Lincoln S&LA	OR	12	6487	Rainier Bancorporation
201	Jul-86	Sun S&LA	CA	11	7780	Asset Backed Transfer
202	Aug-86	Peninsula FS&LA	AK	12	7654	Liquidation
203	Aug-86	Coronado FS&LA	KS	10	7296	Commercial FS&LA
204	Aug-86	Citizens FS&LA	OH	5	1375	TransOhio FSB
204	Aug-86	Dollar Savings Bank	OH	5	1766	TransOhio FSB
205	Aug-86	Reserve S&LA	KS	10	7586	Mid-Continent S&LA
206	Aug-86	First SA of Kilgore	TX	9	7553	Phillips/Dean
207	Aug-86	Consolidated Savings Bank	CA	11	7987	Liquidation
208	Aug-86	Presidio S&LA	CA	11	8260	Liquidation
209	Aug-86	First FS&LA of Rochester	NY	2	2125	Rehabilitation
210	Sep-86	De Vargas S&LA Bank	NM	9	7256	Southwest Holding Corp
211	Sep-86	Sunrise S&LA	FL	4	8259	Asset Backed Transfer
212	Oct-86	Homestead S&LA	OK	10	1778	Liquidation
213	Oct-86	Family FS&LA	MI	6	50	Heritage FSB
214	Oct-86	Farmers FS&LA	WV	3	155	Poughkeepsie Savings Bank
214	Oct-86	First State S&LA	SC	4	4681	Poughkeepsie Savings Bank
215	Oct-86	Talman Home FS&LA	IL	7	1223	Recapitalization
216	Dec-86	FirstSouth, FA	AR	9	2827	Asset Backed Transfer
217	Dec-86	Barron County FS&LA	WI	7	3236	W. J. Oestreicher
218	Dec-86	Lincoln FS&LA	KY	5	425	First Nationwide Bank
219	Dec-86	St. Louis FS&LA	MO	8	2901	First Nationwide Bank
220	Dec-86	Guaranty Federal Bank FSB	UT	12	3820	Liquidation
		TOTAL FOR 1986				
221	Jan-87	Guaranty FS&LA	AR	9	8244	Superior Federal Bank
222	Jan-87	Umpqua S&LA	OR	12	1342	Liquidation
223	Jan-87	First S&LA of Burkburnett	TX	9	6483	Liquidation
224	Jan-87	Magic Valley S&LA	TX	9	7237	San Antonio SA
225	Feb-87	Life Savings of America	IL	7	6407	Liquidation
226	Feb-87	First FS&LA of Beloit	KS	10	965	Liquidation
227	Feb-87	Western S&LA	UT	12	5761	Crossland Savings

AID CASE	DATE	PROBLEM ASSOCIATION	STATE	DIST	DOCK	ACQUIRER OR LIQUIDATION
228	Mar-87	South Bay S&LA	CA	11	7929	Standard Pacific, Inc.
229	Mar-87	First Southern SA	MS	9	7576	Liquidation
230	Mar-87	Bayou FS&LA	LA	9	7916	First Federal SB
231	Mar-87	First Security S&LA	CO	10	8355	Great American First SB
232	Mar-87	First FS&LA	MD	4	4164	Liquidation
233	Mar-87	Home S&LA	WA	12	5393	Interwest Savings Bank
234	Mar-87	Equitable S&LA	CA	11	7543	Liquidation
235	Apr-87	Summit S&LA	UT	12	7698	Liquidation
236	Apr-87	Liberty FS&LA	LA	9	7487	Liquidation
237	Apr-87	Future S&LA	OR	12	7759	Liquidation
238	Apr-87	Southern California S&LA	CA	11	8258	H. F. Holdings, Inc.
239	Apr-87	Centennial S&LA	CA	11	8234	Liquidation
240	Apr-87	Central S&LA	CA	11	6186	Coast S&LA
241	Apr-87	Beacon FS&LA	OH	5	8320	Charter Oak FSB
242	May-87	Capitol S&LA	IA	8	8288	Liquidation
243	Jun-87	Frontier S&LA	AK	12	7884	Liquidation
244	Jul-87	Fort Lee S&LA	NJ	2	4330	Ensign Bank FSB
245	Jul-87	Provident FS&LA	ID	12	2821	Washington Fed Savings
245	Jul-87	United First FS&LA	ID	12	1376	Washington Fed Savings
246	Jul-87	OK Federal S&LA	OK	10	3199	Phoenix Capital Group
247	Oct-87	Tri-County S&LA	NJ	2	6465	Asset Backed Transfer
248	Oct-87	Sierra S&LA	NV	11	7659	Liquidation
249	Nov-87	Gulf FS&LA	AL	4	6969	Investor Group
250	Nov-87	Argo FS&LA	IL	7	2626	Argo Partners
251	Nov-87	Vernon S&LA	TX	9	8391	Asset Backed Transfer
252	Nov-87	First FS&LA Natchitoches	LA	9	2360	First FS&LA Lake Charles
253	Dec-87	Boone County FS&LA	MO	8	2716	United S&LA
254	Dec-87	Community FS&LA	OH	5	740	Union FSB
255	Dec-87	Riverside FSA	AR	9	8356	Home SA
256	Dec-87	Mt. Pleasant S&LA	TX	9	1021	Sulphur Springs LS&A
257	Dec-87	Surety FS&LA	NC	4	5298	National Capital Group
258	Dec-87	Bohemian SA	MO	8	8079	Liquidation
259	Dec-87	First FS&LA of Slidell	LA	9	7100	Alabama FS&LA
260	Dec-87	First Financial Bank	LA	9	1617	Alabama FSL&A
261	Dec-87	Gibson Federal S&LA	IL	7	6767	Champion Federal S&LA
262	Dec-87	Gulf FS&LA	LA	9	8357	Pelican Homestead
263	Dec-87	First Financial of LA	LA	9	4488	Pelican Homestead
264	Dec-87	Firstbanc FSB	LA	9	7518	Pelican Homestead
265	Dec-87	First FS&LA of Alexandria	LA	9	4631	Pelican Homestead
266	Dec-87	American FS&LA	VA	4	1809	First Federal of Roanoke
		Total for 1987				
267	Jan-88	Citizens S&LA	OR	12	8272	Liquidation
268	Jan-88	First Savings of East Texas	TX	9	7229	Liquidation
269	Jan-88	First FS&LA of Freeport	IL	7	2831	Home FS&LA of Rockford
270	Jan-88	Territory S&LA	OK	10	7872	Liquidation
271	Feb-88	Magnet Bank FSB	WV	3	3179	Atlantic Financial Federal
272	Feb-88	Mountain State FS&LA	WV	3	5972	Atlantic Financial Federal
273	Feb-88	Traders FS&LA	WV	3	3166	Atlantic Financial Federal
274	Feb-88	Mt. Whitney S&LA	CA	11	7798	Liquidation
275	Feb-88	Ramona S&LA	CA	11	8350	Liquidation

AED CASE	DATE	PROBLEM ASSOCIATION	STATE	DIST	DOCK	ACQUIRER OR LIQUIDATION
276	Mar-88	First FS&LA of Craig	CO	10	3188	Tom Weymire
277	Mar-88	First FS&LA of Paducah	KY	5	4062	Liquidation
278	Mar-88	First Federated Savings Bank	FL	4	6823	Statesman Bank for Savings
279	Mar-88	First Federal Savings Bank	IA	8	2321	Statesman Bank for Savings
280	Mar-88	Peoples FS&LA	IA	8	5965	Statesman Bank for Savings
281	Mar-88	Perpetual S&LA	IA	8	6477	Statesman Bank for Savings
282	Mar-88	United Savings of Durant	OK	10	8625	Liquidation
283	Mar-88	Investors S&LA	OK	10	8619	Liquidation
284	Apr-88	First Federal of Shawnee	OK	10	1628	Liquidation
285	Apr-88	Tri-Cities Savings and Loan	WA	12	7641	Sterling Savings of Spokane
286	Apr-88	Citizens Savings and Loan	IL	7	4440	Lemont Savings Assn.
287	Apr-88	Valley Federal Savings and Loan	TN	5	428	Home Federal Savings
288	Apr-88	American FS&LA	IN	6	381	Liquidation
289	May-88	Cardinal Savings Bank	NC	4	8290	Liquidation
290	May-88	Alliance S&LA	TX	9	7802	Costal Banc Savings Assn.
291	May-88	Colorado County FS&LA	TX	9	3679	Costal Banc Savings Assn.
292	May-88	Security S&LA	TX	9	6461	Costal Banc Savings Assn.
293	May-88	Cameron County S&LA	TX	9	7400	Costal Banc Savings Assn.
294	May-88	Lamar Savings Assn.	TX	9	218	Southwest Savings Assn.
295	May-88	City S&LA	TX	9	6119	Southwest Savings Assn.
296	May-88	Stockton Savings Assn.	TX	9	6152	Southwest Savings Assn.
297	May-88	Briercroft Savings Assn.	TX	9	5673	Southwest Savings Assn.
298	May-88	Bluebonnet SA of Texas	TX	9	7728	First Savings of Brenham
299	May-88	Eureka FS&LA	CA	11	2268	America First Financial
300	May-88	First FS&LA of Hammonton	NJ	2	2392	Raritan Valley S&L
301	Jun-88	American Diversified	CA	11	7726	Liquidation
302	Jun-88	North American S&LA	CA	11	8375	Liquidation
303	Jun-88	Lynnwood S&LA	WA	12	7753	Golden West Financial
304	Jun-88	Stanford S&LA	CA	11	7875	America First Holdings
305	Jun-88	Frontier Federal Savings Bank	TN	5	3398	Bailey Mortgage Company
306	Jun-88	Muskegon FS&LA	MI	6	3230	Muskegon Investor Group
307*	Jun-88	First Financial S&LA	TX	9	6208	Norabank
308*	Jun-88	Brownfield FS&LA	TX	9	8273	Norabank

* The proceeding two institutions have been filed with State FS&LA, Case # 361.

AED CASE	DATE	PROBLEM ASSOCIATION	STATE	DIST	DOCK	ACQUIRER OR LIQUIDATION
309	Jun-88	Larue FS&LA	KY	5	2712	Liquidation
310	Jul-88	Farmers Savings	CA	11	8238	Liquidation
311	Jul-88	Universal FS&LA	OK	10	8378	Liquidation
312	Jul-88	American of Anadarko	OK	10	1876	Liquidation
313		intentionally left blank				
314	Aug-88	First of Longview	WA	12	1343	First Federal Corp.
315	Aug-88	Capitol FS&LA	IL	7	942	Standard FS&LA
316	Aug-88	Republic Savings	IL	7	8344	River Valley Savings Bank
317	Aug-88	Home Savings Bank	OK	10	2764	Liquidation
318		and 319 intentionally left blank				
320	Aug-88	First FS&LA of Elk City	OK	10	2031	Liquidation
321		intentionally left blank				
322	Aug-88	Heritage S&LA	OK	10	7695	Liquidation
323		intentionally left blank				
324	Aug-88	Peoples FS&LA	OK	10	2252	Liquidation
325	Aug-88	Victor FS&LA (Cimarron)	OK	10	8395	Liquidation
326	Aug-88	Kingfisher FS&LA	OK	10	2255	Liquidation
327	Aug-88	Frontier	OK	10	4838	Liquidation
328	Aug-88	Phoenix FS&LA	OK	10	3774	Liquidation

AFD CASE	DATE	PROBLEM ASSOCIATION	STATE	DIST	DOCK	ACQUIRER OR LIQUIDATION
329	Aug-88	Home S&LA	OK	10	1428	Liquidation
330	Aug-88	Sunbelt Savings	OK	10	8428	Liquidation
331	Aug-88	Federated S&LA	TX	9	1539	Liquidation
332	Aug-88	First City SA	TX	9	7575	Liquidation
333	Aug-88	Independent American S&LA	TX	9	8413	Liquidation
334	Aug-88	Multibanc SA	TX	9	5075	Liquidation
335	Aug-88	Summit SA	TX	9	7292	Liquidation
336	Aug-88	Sunbelt SA	TX	9	5898	Liquidation
337	Aug-88	Texana S&LA	TX	9	7340	Liquidation
338	Aug-88	Western FS&LA	TX	9	8335	Liquidation
339	Aug-88	American Banc SA	TX	9	7665	Gibson Group Inc.
340	Aug-88	Ben Milam S&LA	TX	9	7226	Gibson Group Inc.
341	Aug-88	Commerce FS&LA	TX	9	3376	Gibson Group Inc.
342	Aug-88	Irving SA	TX	9	5490	Gibson Group Inc.
343	Aug-88	Majestic SA	TX	9	5978	Gibson Group Inc.
344	Aug-88	Mercury SA	TX	9	6505	Gibson Group Inc.
345	Aug-88	Paris SA	TX	9	7420	Gibson Group Inc.
346	Aug-88	Richardson SA	TX	9	6202	Gibson Group Inc.
347	Aug-88	Skyline SA	TX	9	7878	Gibson Group Inc.
348	Aug-88	Longview S&LA	TX	9	7210	Gibson Group Inc.
349	Aug-88	Gladewater FS&LA	TX	9	2524	Gibson Group Inc.
350	Aug-88	Southland SA	TX	9	7691	Gibson Group Inc.
351	Aug-88	Homestate S&LA	CA	11	7505	Old Stone Corp.
352	Aug-88	Bell S&LA	CA	11	8240	BP Holdings, Inc.
353	Aug-88	Commerce FSB	TN	5	7564	Security Trust FS&LA
354	Aug-88	First FS&LA of Taylorville	IL	7	4198	United Savings of America
355	Aug-88	First FS&LA of Grand Rapids	MN	8	6035	Metropolitan FSB
356	Aug-88	First FS&LA of Hibbing	MN	8	5509	Metropolitan FSB
357	Aug-88	First FS&LA of Brainerd	MN	8	4936	Metropolitan FSB
358	Aug-88	Washington FSB of Stillwater	MN	8	395	Metropolitan FSB
359	Aug-88	Pioneer FS&LA in Mason City	IA	8	3558	Metropolitan FSB
360	Aug-88	Peoples S&LA	MN	8	6683	Metropolitan FSB
361	Aug-88	State FS&LA	TX	9	8276	Merabank
362	Aug-88	Northwest FS&LA	ID	12	6606	Washington FS&LA
363	Aug-88	First Federal Savings Bank	IA	8	2829	First FS&LA of Lincoln
364	Aug-88	Western FS&LA	IA	8	4399	First FS&LA of Lincoln
365	Aug-88	Belvo FS&LA	IL	7	3926	Rock Falls S&LA
366	Aug-88	Mutual FS&LA	IL	7	6854	Rock Falls S&LA
367	Aug-88	Home FS&LA	IL	7	5137	Rock Falls S&LA
368	Sep-88	First Federal SB	AR	9	2603	Wilson Group
369	Sep-88	Coosa FS&LA	AL	4	6524	Alabama FS&LA
370	and 371 intentionally left blank					
372	Sep-88	Bay City FS&LA	TX	9	2687	Pulte Home Corp.
373	Sep-88	Gulf Coast SA	TX	9	6203	Pulte Home Corp.
374	Sep-88	Heights SA	TX	9	8261	Pulte Home Corp.
375	Sep-88	Allenport FS&LA	TX	9	8291	Pulte Home Corp.
376	Sep-88	Champion SA	TX	9	6006	Pulte Home Corp.
377	Sep-88	Butterfield S&LA	CA	11	8239	Downey S&LA
378	Sep-88	Ultimate Savings Bank	VA	4	7815	Liquidation
379	Sep-88	Citizens FS&LA	FL	4	5988	First Federal Bancorp, Inc.
380	Sep-88	Peoples S&LA	OR	12	7725	Liquidation
381	Sep-88	Arsenal SA	IN	6	734	Union Holding Company
382	Sep-88	Frankton FS&LA	IN	6	4076	Union Holding Company

AED CASE	DATE	PROBLEM ASSOCIATION	STATE	DIST	DOCK	ACQUIRER OR LIQUIDATION
383	Sep-88	Levee Park FSB	IL	7	6609	Home FS&LA
384	Sep-88	Freedom FS&LA	OR	12	8263	Washington FS&LA
385	intentionally left blank					
386	Sep-88	Delta Savings of Alvin	TX	9	5450	Mason Best/Trammel Crow
387	Sep-88	Guaranty FS&LA of Dallas	TX	9	8068	Mason Best/Trammel Crow
388	Sep-88	First FS&LA of Austin	TX	9	2878	Mason Best/Trammel Crow
389	Sep-88	Franklin SA	TX	9	7010	Club Corporation Int.
390	Sep-88	Creditbanc SA	TX	9	6151	Club Corporation Int.
391	Sep-88	Great West SB	TX	9	5231	Club Corporation Int.
392	Sep-88	Citizens FS&LA of New Castle	IN	6	4007	American Savings Bank
393	Sep-88	United SA of Central Indiana	IN	6	7135	First Federal Bank
394	Sep-88	Adobe Savings Bank	CA	11	7348	Tracy S&LA
395	Sep-88	Fidelity FS&LA	IL	7	1815	United Savings of America
396	Oct-88	First FSB of Indiana	IN	6	2782	Maco Bancorp
397	Oct-88	Capital FS&LA	IN	6	4472	Maco Bancorp
398	Oct-88	First FS&LA of Mayfield	KY	5	710	Republic Savings Bank
399	Oct-88	Olney SA	TX	9	31	The Adam Corp./Group
400	Oct-88	Security FS&LA	TX	9	138	The Adam Corp./Group
401	Oct-88	First FS&LA	TX	9	3276	The Adam Corp./Group
402	Oct-88	San Angelo SA	TX	9	4258	The Adam Corp./Group
403	Oct-88	Odessa SA	TX	9	5183	The Adam Corp./Group
404	Oct-88	Southwest S&LA	TX	9	5578	The Adam Corp./Group
405	Oct-88	Banc Home SA	TX	9	5688	The Adam Corp./Group
406	Oct-88	Southern S&LA	TX	9	6347	The Adam Corp./Group
407	Oct-88	Heart O Texas SA	TX	9	7525	The Adam Corp./Group
408	Oct-88	Shamrock FSB	TX	9	7660	The Adam Corp./Group
409	Oct-88	Petroplex SA	TX	9	7982	The Adam Corp./Group
410	Oct-88	Peoples FSB	OH	5	1115	First Bancorporation
411	Oct-88	Liberty FSB	MN	9	7976	Liquidation
412	Oct-88	Regency FSB	MI	6	8271	Liquidation
413	Nov-88	Lincoln FS&LA	NJ	2	1590	First Nationwide
414	Nov-88	Cyprus SA	FL	4	7863	Liquidation
415	Nov-88	Twin City Savings	LA	9	8638	Liquidation
416	Nov-88	Key S&LA	CO	10	8382	Liquidation
417	Nov-88	Central Arkansas S&LA	AR	9	7572	Liquidation
418	Nov-88	Southside S&L	OH	5	4453	Liberty Capital Inc.
419	Nov-88	Flagship FS&LA	CA	11	8315	BJF Development, Ltd.
420	Nov-88	Reliance FS&LA	NJ	2	1315	Crossland Savings FSB
421	Dec-88	First FS&LA of Jacksonville	FL	4	3173	Southeast SB
422	Dec-88	South Florida Savings	FL	4	8390	Southeast SB
423	Dec-88	McLean FS&LA	VA	4	7558	NVRyan
424	Dec-88	Beach FS&LA	FL	4	8329	World S&LA
425	Dec-88	Broward FS&LA	FL	4	7637	California Federal S&LA
426	Dec-88	Ohio Valley	OH	5	1280	World S&LA
427	Dec-88	First Border	OH	5	5712	World S&LA
428	Dec-88	Bloomfield S&LA	MI	6	7902	First Nationwide
429	Dec-88	First Dearborn	MI	6	3657	First Nationwide
430	Dec-88	Glen Ellyn S&LA	IL	7	8237	Citicorp Mortgage Inc.
431	Dec-88	American SB	IL	7	5975	Citizens Savings
432	Dec-88	Lyons FS&LA	IL	7	8443	Coast to Coast
433	Dec-88	United FS&LA	SD	8	3057	Home FS&LA
434	Dec-88	MidAmerica SB	IA	8	4707	Earley Investor Group
435	Dec-88	First Financial SB	IA	8	4601	Metropolitan Financial Corp

ADD CASE	DATE	PROBLEM ASSOCIATION	STATE	DIST	DOCK	ACQUIRER OR LIQUIDATION
436	Dec-88	Home FS&LA	IA	8	5627	Community Holdings LTD
437	Dec-88	Northwest FS&LA	IA	8	3754	Community Holdings LTD
438	Dec-88	Rooks County FSA	KS	10	5670	First FS&LA of Lincoln
439	Dec-88	Silverado FS&LA / Mile High	CO	10	5871	First Nationwide
440	Dec-88	Columbia FS&LA	CO	10	5001	First Nationwide
441	Dec-88	Cardinal FSB	OH	5	1917	First Nationwide
442	Dec-88	Pathway Financial	IL	7	5310	First Nationwide
443	Dec-88	Mutual FS&LA / Arrowhead FS&LA	OK	10	1226	Northwest FS&LA
444	Dec-88	Capitol FSB / Arrowhead FS&LA	OK	10	3686	Northwest FS&LA
445	Dec-88	First Oklahoma SB/Community FS&L	OK	10	7826	Local FS&LA
446	Dec-88	Midamerica FS&LA/Community FS&LA	OK	10	2067	Local FS&LA
447	Dec-88	Columbus S&LA	CA	11	7633	Home Federal S&LA
448	Dec-88	Cal America S&LA	CA	11	8351	Home Federal S&LA
449	Dec-88	First Security SB	CA	11	8505	Home Federal S&LA
450	Dec-88	Beverly Hills Savings	CA	11	8257	Michigan National Corp
451	Dec-88	American Savings	CA	11	1840	Robert M. Bass Group
452	Dec-88	Tahoe S&LA	CA	11	8398	First Network SB
453	Dec-88	American Home Savings	OR	12	2370	Pacific First
454	Dec-88	Community First Fed Savings	WA	12	2902	Pacific First
455	Dec-88	Rocky Mountain FS&LA	WY	11	3486	Equimark Corp
456	Dec-88	United SB of Wyoming	WY	11	6501	Equimark Corp
457	Dec-88	First FS&LA	GA	4	3339	Barnett Banks, Inc.
458	Dec-88	Virginia FS&LA	VA	4	3461	MNC Financial
459	Dec-88	Peoria S&LA	IL	7	4867	River Valley Savings
460	Dec-88	Eastern Washington S&LA	WA	12	7879	First Western SA
461	Dec-88	Great Falls FS&LA	MT	12	1029	Western FS&LA
462	Dec-88	Jackson County FSA	OR	12	1371	Rehabilitation
463	Dec-88	Mineral Wells S&LA	TX	9	1636	S/D Acquisition Group
464	Dec-88	Home S&LA	TX	9	2876	S/D Acquisition Group
465	Dec-88	Mesquite S&LA	TX	9	3027	S/D Acquisition Group
466	Dec-88	First Western S&LA	TX	9	3107	S/D Acquisition Group
467	Dec-88	Commodore SA	TX	9	3118	S/D Acquisition Group
468	Dec-88	Lamesa FS&LA	TX	9	3323	S/D Acquisition Group
469	Dec-88	First FS&LA	TX	9	3547	S/D Acquisition Group
470	Dec-88	Sentry SA	TX	9	6302	S/D Acquisition Group
471	Dec-88	Vista SA	TX	9	6327	S/D Acquisition Group
472	Dec-88	Interwest SB	TX	9	6760	S/D Acquisition Group
473	Dec-88	Southern Fed Banc S&LA	TX	9	6782	S/D Acquisition Group
474	Dec-88	Reliance SA	TX	9	7182	S/D Acquisition Group
475	Dec-88	Northport SA	TX	9	7423	S/D Acquisition Group
476	Dec-88	Metroplex FSA	TX	9	8114	S/D Acquisition Group
477	Dec-88	Hi-Plains S&LA	TX	9	8270	S/D Acquisition Group
478	Dec-88	Gibraltar SA	TX	9	55	Utley Ford Investor Group
479	Dec-88	First Texas SA	TX	9	1236	Utley Ford Investor Group
480	Dec-88	Killeen S&LA	TX	9	5512	Utley Ford Investor Group
481	Dec-88	Home SA	TX	9	5686	Utley Ford Investor Group
482	Dec-88	Montfort SA FSA	TX	9	8656	Utley Ford Investor Group
483	Dec-88	First FS&LA	TX	9	2599	Pacific Elec Wire & Cable
484	Dec-88	Yoakum FS&LA	TX	9	3402	Pacific Elec Wire & Cable
485	Dec-88	Seguin S&LA	TX	9	6121	Pacific Elec Wire & Cable
486	Dec-88	Charter S&LA	TX	9	7083	Pacific Elec Wire & Cable
487	Dec-88	Union SA / Goliad S&LA	TX	9	7543	Pacific Elec Wire & Cable
488	Dec-88	Independence S&LA	TX	9	7778	Pacific Elec Wire & Cable

AID CASE	DATE	PROBLEM ASSOCIATION	STATE	DIST	DOCK	ACQUIRER OR LIQUIDATION
489	Dec-88	Keystone S&LA	TX	9	8078	Pacific Elec Wire & Cable
490	Dec-88	Bayview FSA	TX	9	8129	Pacific Elec Wire & Cable
491	Dec-88	Peoples S&LA	TX	9	7181	Centex Corporation
492	Dec-88	Burnet S&LA	TX	9	7478	Centex Corporation
493	Dec-88	Lee SA	TX	9	7681	Centex Corporation
494	Dec-88	Ranchers SA	TX	9	7821	Centex Corporation
495	Dec-88	United SA of Texas	TX	9	4430	Hyperion Partners, L.P.
496	Nov-88	Tesoro S&LA	TX	9	7313	Americity FSB
		Total for 1988				
497	Jan-89	Southern Federal SB	GA	4	7611	Liquidation
498	Jan-89	Carver S&LA	CA	11	7735	Liquidation
499	Jan-89	First FS&LA in New Albany	MS	9	7529	Liquidation
500	Feb-89	Cook County FS&LA	IL	7	4019	Michael Melikian
501	Feb-89	First American S&LA	IL	7	7165	Michael Melikian
502	Feb-89	First Valley S&LA	TN	5	7569	Liquidation
503	Feb-89	Mid-State S&LA	IL	7	7047	Liquidation
504	Feb-89	Signal S&LA	CA	11	7922	Liquidation
505	Feb-89	Manhattan Beach S&LA	CA	11	7998	Liquidation
506		Tropical	FL.	4	7862	

ATTACHMENT 4

Summary Statistics

The following table is updated statistics as of September 30, 1990, concerning number of thrifts in conservatorship and number resolved; number and percentage of preliminary finding reports (PFRs) in RTC thrifts; fraud and abuse in thrifts; number of criminal referrals; and staffing information in the four regions:

	CNTRAL	EAST	STWST	WEST	TOTAl
THRIFTS					
No. Thrifts in cons/ship	24	96	67	20	207
No. Thrifts resolved	83	72	64	67	286
TOTAL:	107	168	131	87	493
PRELIMINARY FINDINGS REPT					
% of completed PFRs in cons/ship & resolved thrifts	88%	90%	85%	93%	89%
No. of completed PFRs	94	152	112	81	439
No. of PFRs in progress	13	14	19	6	52
FRAUD & ABUSE IN THRIFTS					
No. of thrifts where fraud/abuse contributed to failure.	25	36	72	49	182
CRIMINAL REFERRALS					
Criminal referrals - RTC	20	26	121	50	217
Crim. Referrals-Others	111	111	538	140	900
No. of Thrifts with Criminal Referrals	40	50	89	55	234
STAFFING					
No. of Personnel Author.	55	155	98	83	391
No. of Personnel Hired	51	108	86	77	322
No. of vacancies	4	47	12	6	69

ATTACHMENT 5

ATTACHMENT 5 (a)

FEDERAL DEPOSIT INSURANCE CORPORATION [illegible]

[illegible]

August 3, 1990

Dear Mr. Chairman:

This is in response to your letter of June 4, 1990, requesting information on civil suits filed against officers and/or directors of failed banks during the period January 1, 1988, to the present.

Per your request, attached please find a list of institutions, law suits, names of officers and directors against whom a civil suit seeking monetary damages has been filed, the amount of the claim, status of the case, recovery amount if settled, and the amount of legal fees and costs incurred by the FDIC for each suit that has been finally resolved.

The total amount of recoveries for all Professional Liability law suits for 1988, 1989, and 1990 are respectively:

FDIC	- 1988	$92,000,000
FDIC	- 1989	$100,000,000
Old FSLIC	- 1989	$50,000,000
FDIC	- 1990	$300,000,000 (approx.)

With best wishes.

Sincerely,

L. William Seidman
Chairman

Honorable Frank Annunzio, Chairman
Subcommittee on Financial Institutions
House of Representatives
Washington, D.C. 20515

Attachment

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
Alaska Continental Bankcorp., AK - 2888	FDIC v. Alaska Continental Bancorp A-89-182-CIV. (USDC D. Alaska)	Burton M. Bomhoff Julius J. Brecht Robert E. Bulmer Richard L. Delak Joe L. Hayes Harold A. Hoffman Mark A. Korting Frank E. McQueary Robert S. Tope Robert Breeze Harry F. Goldbar Linda J. Eliason Michael Vann Steven S. Street Janice E. Prigge Marv Myhr David A. Wells George E. Smith Nancy A. Tahija David W. Sinclair Maryetta Licata Karl E. Hoffman Shirley A. Anderson Cynthia G. Guinn	$ 191,959	P	$ 116,946 (partial)	
First Interstate Bank of Alaska, AK - 2766	FDIC v. Miller, Et al. A-88-281 (USDC D. Alaska)	R.J. Miller A.C. Swalling	8,000,000	P		

S = Settled
P = Pending

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
California Heritage Bank CA - 2519	FDIC v. Forde 88-6908-WMB (USDC C.D. Cal.)	Edward A. Forde	2,000,000	P		
Commonwealth Bank, CA - 2731	FDIC v. Moore 89-4807-AUT (Ex) (USDC C.D. Cal.)	Berrien Moore Julian Candelaria Jack Prince	10,000,000	P		
First City Bank of Glendale, CA 2526	FDIC v. Howard Hill, et al. C574015 (Sup. Ct. Cal.)	Howard Hill	1,500,000	P		
First National Bank of Willows, CA - 2619	FDIC v. Hilger, Sr. et al. CIVS-89-0337 (USDC E.D. Cal.)	Frederick L. Hilger, Sr. Frederick L. Hilger, Jr. Raymond Possic Carroll Lende William Edmondson	2,000,000	P		
First Sierra Bank, CA - 6796	FDIC v. Wederking (Sup. Ct. Cal.) 16592	Wayne W. Wederking	3,000,000	P		
Heritage Bank, CA - 6465	FDIC v. Antoyan, et al. AL, 45389 (Sup. Ct. of Orange Co., Cal.)	Antoyan	4,000,000	P		

S = Settled
P = Pending

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
Independent National Bank, CA - 5757	FDIC v. Dyke, SA-CV88-581-JSL(RWRX) (USDC. C.D. Cal.)	Dennis A Dyke	4,000,000	P		
Pacific Savings Bank, CA - 8320	FDIC v. Baker SACV 89-386-AHS (USDC C.D. Cal.)	Joe G. Baker	70,000,000	P		
Valencia Bank, CA - 6657	FDIC v. James B. McDonald, et al. 51-40-50 (Sup Ct. Cal.)	James B. McDonald		P		
American National Bank of Grand Junction, CO 5788	FDIC v. Joseph Hambright, et al. 88-736 (USDC Colo.)	Joseph Hambright Easternburg	1,429,000	S	93,000 (partial)	33,145
Buena Vista Bank & Trust Co., CO - 6743	FDIC v. Bowen 88-CV-16746 (D. Ct. Colo.)	Ray Bowen Glen McGowan Philip Smith	2,000,000	P		
Metropolian Industrial Bank, CO - 5937	FDIC v. Gregory 88-CV-3326 (USDC Colo.)	Gregory	675,000	P		

S = Settled
P = Pending

Attorney care
vanBerg

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
Aurora Bank, CO - 2511	FDIC v. Glen B. Clark, Jr. 88-647 (USDC Colo.)	Glen B. Clarke, Jr.	1,800,000	P		
Florida Center Bank, FL - 2551	American Casualty Co. v. FDIC, et al. 89-1064-CIV-DRL-19 (USDC M.D. Fla.)		Declaratory Judgment Action	P		
Florida Center Bank, FL - 2551	FDIC v. John A. Bodziak, et al. 89-338-CIV-DRL-19 (USDC M.D. Fla.)	John A. Bodziak Robert Duncan Sam Murrell A. Razzak Tai		P		
Commercial State Bank, IA - 2448	FDIC v. Michael I. Kelly, et al. 87-679-A (USDC S.D. Iowa)	Michael I. Kelly	1,546,000	P	460,000 (in process)	
Early Savings Bank, IA - 2510	FDIC v. Donald Kelley C-88-4127 (USDC N.D. Iowa)	Donald Kelley	2,030,000	P		
Latimer Bank & Trust Co., IA IA - 2633	FDIC v. Donald Koch C88-3079 (USDC N.D. Iowa)	Donald Koch	1,940,000	S	950,000	78,886
Mineola State Bank, IA - 2489	FDIC v. Foreman, et al. 88-77-W (USDC S.D. Iowa)	Floyd Foreman	1,000,000	P		

S = Settled
P = Pending

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
Story County Bank, IA - 2462	FDIC v. Roy A. Sweet, et al. CV-88-257A (USDC S.D. Iowa)	Roy A. Sweet	6,000,000	P		
Williams Savings Bank, IA	FDIC v. Collier C88-3106 (USDC C.D. Iowa)	Justin L. Collier	1,453,000	S	750,000	32,390
State Bank of Cuba, IL - 2632	FDIC v. Grove, et al. 88-1140 (USDC C.D. Ill.)	Wayne Grove	1,500,000	P		
United of America Bank, IL - 6471	FDIC v. Warren N. Barr, Jr., 88L-11149 (Cir. Ct. Cook Co., Ill.)	Warren Barr	3,500,000	S	8,211 42,500 (partial)	648,345
Washington National Bank of Chicago, IL 2390	FDIC v. Cyr 89-C-4065 (USDC N.D. Ill.)	Francis J. Cyr	1,100,000	S	605,000	160,000
Citizens State Bank, IN - 6843	FDIC v. John F. Kamman, et al. 36C01-8904-CP-30 (Sup. Ct. Jackson Co. Ind.)	John F. Kamman Curtin E. Benter Leroy J. Darlage Bradley Morrow	5,000,000	P		

S = Settled
P = Pending

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
Farmers National Bank of Remington, IN 2638	FDIC v. Arnold Atkinson, et al. L88-0059 (USDC N.D. Ind.)	Arnold Atkinson	2,000,000	P		
Morocco State Bank, IN - 2667	FDIC v. Brown L-89-0043 (USDC N.D. Ind.)	Linwood Brown	2,400,000	P		
Mayfield State Bank, KS - 5906 Murdock State Bank, KS - 5907	FDIC v. Noll 89-2473-S (USDC Kan.)	Bradley Noll	2,000,000	P		
State Exchange Bank of Yates Center, KS 2590	FDIC v. Oakes 89-2261-S (USDC D. Kan.)	W. E. Oakes	2,000,000	P		
American Bank & Trust Co, of Lafayette, LA 2602	FDIC v. Stuart CV-89-2222 (USDC W.D. La.)	Walker B. Stuart, III	16,000,000	P		
Bank of Commerce, LA - 2567	FDIC v. Migalis, et al. CIV-89-1316 (USDC W.D. La.)	Gus and Alex Mijalis, J. Hamper Cox, W. Thuron Roberts John Shobert	8,000,000	P		

S = Settled
P = Pending

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
Bank of Dixie, LA - 2529	FDIC v. Lensing 89-0013 (USDC W.D. La.)	David C. Lensing Michael Lensing King Treischman	4,000,000	P	300,000 (partial)	
Bossier Bank & Trust Co., LA 2566	FDIC v. Alley, et al. CV-88-3161 (USDC W.D. La.)	T.W. Alley, Jr Helman Beebe Murray Lynn James McKigney	20,000,000	P		
Breaux Bridge Bank & Trust, LA LA - 2727	FDIC v. Landry American Casualty Co. CIV-89-2227-SEOL (USDC W.D.La.)	Norman Landry Walter Kean Michael Frey	3,000,000	P		
First National Bank of Ruston, LA - 2549	FDIC v. Barham 89-0776 (USDC W.D. La.)	Herman Beebe O'Donnell Wagganer	2,300,000	P		
Moreauville State Bank, LA - 2685	FDIC v. American Casualty Co. 90-0781 (USDC W.D. La.)	John Bennet Waters Gerald Desselle	900,000	P		
First National Bank of Stewartville, MN - 2623	FDIC v. Herrick 3-88-504 (USDC D. Minn.)	Donald W. Herrick Donald W. Herrick, Jr. Robert Herrick Helen Herrick	1,200,000	P		

S = Settled
P = Pending

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
First National Bank of West Concord, MN 5821	FDIC v. Gordinier 3-89-CIV-24 (USDC D. Minn.)	Gary R. Gordinier	1,500,000	P		
State Bank of Greenwald, MN - 5909	St. Paul Fire & Marine Ins. Co. v. FDIC 3-89-CIV-326 (USDC D. Minn.)	Douglas Winter	5,000,000	P		
First National Bank of St. Joseph, MO 2504	FDIC v. Dannen 88-6145-CV-SJ-6 (USDC W.D. Mo.)	D. Douglas Dannen Benton O'Neal W. Dale Maudlin Roger Hegarty	28,000,000	P		
Linn County State Bank, MO - 2480	FDIC v. Coble, et al. 88-0104-C (E.D. Mo.)	Will Coble	1,000,000	P		
Gering National Bank & Trust Co., NE - 2585	FDIC v. Huckfeldt, et al. CIV-89-0497 (Dist. Ct. Neb.)	Joe Huckfeldt	5,000,000	P		
Moncor Bank, N.A., NM 2495	FDIC v. Dalton Bell, et al. (Carlsbad) 88-1020M (USDC D. N.M.)	Dalton Bell		P		

S = Settled
P = Pending

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
Moncor Bank, N.A., NM 2495	FDIC v. Harriett C. Peckham (Ruidoso) 88-1022JB2 (USDC D. N.M.)	Harriet C. Peckham		P		
Moncor Bank, N.A., NM 2495	FDIC v. Darrell W. Marker, et al. (Roswell) 88-1019JP USDC D. N.M.)	Darrell W. Marker		P		
Moncor Bank, N.A., NM 2495	FDIC v. Stanley E. Newman, et al. (Albuquerque) CV-88-1018M (USDC D. N.M.)	Stanley F. Newman		P		
Moncor Bank, N.A., NM 2495	FDIC v. Reed H. Chittim, et al. (Hobbs) 88-1021JC (USDC D. N.M.)	Reed A. Chittim	3,000,000	P		
New Mexico National Bank, NM - 2578	FDIC v. Newman, et al. 88-1018M	Newman	2,000,000	P		
Guardian Bank, N.A., NY - 5973	DHoward FDIC v. Zimmer CV90-0488M (USDC D. N.Y.)	Robert C. Zimmer	300,000,000	P		

S = Settled
P = Pending

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
Bank of Commerce & Trust, OK 2556	FDIC v. Behnken 88-C-452-C (USDC D. Okla.)	Behnker, Ahercrombie, Pitman, Thomas, Rabinowitz, Brumbaugh, Sweet	2,000,000	P		
Bank of Newcastle, OK - 2463	FDIC v. Richard A. Gray, et al. CIV-88-839R (W.D. Okla.)	Richard A. Gray	4,000,000	P		
Cordell National Bank, OK - 5779	FDIC v. Kliewer, et al. 89-2110P (W.D. Okla.)	Frank G. Kliewer Marilyn Kliewer Harry P. Kliewer	6,000,000	S	650,000 (Settlement in process)	88,793
First City Bank, N.A., OK - 2474	FDIC v. McClain, et al. CIV-88-1063-A (USDC W.D. Okla.)	Jerry McClain Richard Davis Bill Eddy	10,500,000	P		
First National Bank of Rush Springs, OK 2634	FDIC v. Appling CIV-89-883-A (USDC W.D. Okla.)	Charles W. Appling Ann L. Stonehodner Mark S., Browe B.J. Crittendon	2,400,000	P		
First National Bank of Temple OK - 5771	FDIC v. White, et al. 88-1982-T (USDC W.D. Okla.)	Larry N. White	1,495,000	S	600,000	73,000

S = Settled
P = Pending

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
First State Bank of Blanchard, OK 6896	FDIC v. John Hudson CJ-88-8115 (USDC D. Okla.)	John Hudson Jack Rackley	3,600,000	P		
Security Bank & Trust of Midwest City, OK - 2490	FDIC v. Jerry W. Barker, et al. CW-88-1359R (W.D. Okla.)	Jerry Barker, Joe Gary, Ted Koelsch, R. F. Lee, Nelson, Padgam, Porter	2,300,000	P		
Security National Bank & Trust Co., OK - 2631	FDIC v. Armstrong, et al. 90-0027W (USDC W.D. Okla.)	Gail Armstrong Richard Reynolds Harold Powell Steve Bonner	16,000,000	P	1,500 (partial)	
Security State Bank of Roosevelt, OK - 2715	FDIC v. Ferris 88-2289A (USDC W.D. Okla.)	Don Ferris Leon Ferris Loren Jennings William Bush	25,000 (partial)	P	25,000 (partial)	
United Oklahoma Bank, OK 2662	FDIC v. Tucker 90-435-B (USDC Okla.)	Morrison G. Tucker William Johnstone Stephen Kerr Gary Dobson	10,000,000	P		

S = Settled
P = Pending

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
City National Bank of Plainview, TX 2540	FDIC v. Holmes, et al. CA5-89-0062 (USDC N.D. Tex.)	Robert H. Holmes Ron Stokes Walter Mathis Harley Redin	12,100,000	P		
Cy-Fair Bank, TX - 5936	FDIC v. Billy J. Lovett, C.A.H.88-1642 (USDC S.D. Tex.)	Curtis Lovett Ken Henderson Howard Leverett		P		
Early Bank, TX - 2507	FDIC v. Wheat CA-6-88-27E (USDC W.D. Tex.)	Jerry Wheat Ben Sudderth	1,200,000	P		
First National Bank of Irving, TX - 2552	FDIC v. Holmes, et al. CA-3-89-1025D (N.D. Tex.)	Henry Holmes	5,000,000	P		
Western State Bank of Denton, TX - 2499	FDIC v. Harris 5-88-153-CA (USDC E.D. Tex.)	Estate of Thelda Harris Patrick Emmott Clifton Reding Joe Avis-Belew	3,000,000	P	(dismissal pending)	
First State Bank & Trust Co, TX - 2561	FDIC v. Aderhold M-89-C98 (USDC S.D. Tex.)	S. T. Aderhold	10,000,000	P		

S = Settled
P = Pending

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
First State Bank of Bovina, TX - 2740	FDIC v. Grisson CA-88-D134-W (USDC N.D. Tex.)	L. L. Grisson Jack Kassahn Jane Kassahn Jim Kassahn	2,000,000	P		
Montgomery County Bank, N.A., TX - 2640	FDIC v. West H-89-862 (USDC S.D. Tex.)	John L. West Robert Adams Jackie Pauler Glen Hall	5,200,000	P		
Northshore Bank, TX - 2513	FDIC v. Crook H-88-3883 (USDC S.D. Tex.)	Joseph D. Crook Donald Crook, Bob Fairchild, Dale Angeli, Fermin Lepori	10,000,000	P		
Northwest Commercial Bank, N.A., TX 2696	FDIC v. Conner H-89-042 (USDC S.D. Tex.)	Thomas R. Conner David McKinner Roger Mott Gary Kovacs	2,000,000	P		
Southwest National Bank, TX - 5949	FDIC v. McLeod H-88-4183 (USDC S.D. Tex.)	F. Larry Mcleod	2,000,000	P		
Texas Investment Bank, TX - 5866	FDIC v. Dawson, et al. 90-1120 (USDC S.D. Tex.)	Rockleigh Dawson Kirk Weaver Michael D. Maley Wayne C. Desselle	1,500,000	P		

S = Settled
P = Pending

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
Bank of Iron County, UT - 2676	FDIC v. Woolsey 90-C-329W (USDC D. Utah)	Wallace N. Woolsey, Richard Stollc, G. D. Orton, Roser Allen, Norman Day, Elmer Lowe, James Meroer, Frankie Bentley, Moron Sanders	1,500,000	P		
Family Bank, UT - 2545	FDIC v. James W. Brown 89-NC-0030-G (USDC D. Utah)	James Brown	3,100,000	P		
Utah Firstbank, UT - 2531	FDIC v. Paul 89-C-0065-G (USDC C.D. Utal)	Richard Paul	3,500,000	P		
Mid-Valley Bank, WA	FDIC v. Farris C-89-435-JLQ (USDC E.D. Wash.)	Paul F. Farris Monte Rusk, Clayton Emly, Mark Turner	3,500,000	P		
American Bank, WI - 6707 (Cir. Ct. Buffalo City)	FDIC v. Kirchner et al. 89-CV89	Alan W. Kirchner, Sr.	5,000,000	P	4,000 (partial)	

S = Settled
P = Pending

Bank	Suit	Directors & Officers	Amount of Claim	Status	Recovery	Legal Fees
American Bank of Casper, WY 6652	FDIC v. Daniel Sullivan C89-0337 (USDC D. Wyo.)	Daniel Sullivan		P	950,000 (partial)	
American Bank of Capser, WY 6652	FDIC v. Herbert F. McCulla, et al. C90-0016 (USDC D. Wyo.)	Herbert F. McCulla	5,000,000	P		
American National Bank of Eastridge, WY 5744	FDIC v. Woodworth C90-0015 (USDC D. Wyo.)	Woodworth	5,000,000	P		
American National Bank of Glenrock, WY 2482	FDIC v. Bolton C88-0206-K (USDC D. Wyo.)	William Bolton	2,000,000	P		
Saratoga State Bank, WY 2503	FDIC v. McIlvaine C-88-0298J (USDC D. Wyo.)	George W. McIlvaine	3,400,000	P	30,000 (partial)	
Yellowstone State Bank, WY - 6626	FDIC v. VidaKovich et al. No. 2535 (D. Ct. 9th Judicial D. City Fremont, Wyo.)	John L. Vidakovich	3,000,000	S	336,000	225,000

S = Settled
P = Pending

ATTACHMENT 5 (b)

Professional Liability
Litigation
As of May 1990

Prepared 5/23/90
PAGE 1

Code	FIN#	State	Bank	Suit	Docket No.	Court
1	2888	AK	Alaska Continental Bancorp.	FDIC v. Alaska Continental Bancorp.	A 89-182-CIV	USDC Dist. of Alaska
1	2766	AK	First Interstate Bank of Alaska	FDIC v. Miller, et al.	A-88-281	USDC Dist. of Alaska
8	2766	AK	First Interstate Bank of Alaska	American Casualty v. FDIC	A-90-028-CIV	USDC Dist. of Alaska
1	6380	AR	Citizens Bank	FDIC v. Archer et al.	85-106	Chinot City, Cir. Ct.
4	7545	AR	FirstSouth, F.A.	Scrimshine v. Deloitte, Haskins & Sells	10-60-5	W.D. Arkansas
6	7526	AR	Guaranty Savings & Loan Association	FSLIC, et al. v. John Child & Co., Inc.	88-00873 HMF	USDC Hawaii
1	2396	AR	The Corning Bank	FDIC v. Manatt	3-C-86-217	E.D. Arkansas
7	7576	CA	American Diversified Savings Bank	FSLIC v. O'Melveney		USDC C.D. CA
2		CA	American Savings & Loan Association	SunKist Service Co. et al., v. Mutual Fire, Marine and Inland Ins. Co., et al.	C614 295	Sup. Ct. of CA
2		CA	American Savings & Loan Association	American Service v. Mutual, et al.		
4		CA	American Savings & Loan Association	Turner v. FLA		
1		CA	American Savings & Loan Association	Federal Ins. Co. v. American		
2	2616	CA	Bank of Northern California	FDIC v. United Pacific Surety Managers	C88-201211-RPA	USDC N.D. California
7	2616	CA	Bank of Northern California	FDIC v. Orange Bancorp., et al.	C86-20871 RPA	USDC N.D. California
4	2616	CA	Bank of Northern California	Kelly v. Orange Bancorp.	C86-20645 RPA	USDC N.D. California
1		CA	Bell Savings & Loan Association	FSLIC v. Bell	C-85-3845 JPV	USDC N.D. California

1 = Directors and Officers Liability
2 = Bond Claim
3 = Accountants' Liability
4 = Shareholder Suits
5 = Brokers Claims
6 = Appraiser Liability
7 = Attorney Malpractice
8 = Action by or against carriers

Code	FIN#	State	Bank	Suit	Docket No.	Court
1		CA	Beverly Hill Savings & Loan Association	FSLIC v. Fitzpatrick	CV 86-6780	USDC C.D. California
3		CA	Beverly Hill Savings & Loan Association	FSLIC v. Fitzpatrick (Touche, Ross & Co.)	CV 88-0651	USDC C.D. California
6		CA	Beverly Hill Savings & Loan Association	FSLIC v. Landever	CV 88-02262	USDC C.D. California
1		CA	Cal American	FSLIC v. Meyer Financial Corp. and Richard J. Meyer		
1	2519	CA	California Heritage Bank	FDIC v. Forde	88-6908 WMB	USDC C.D. California
1	2453	CA	Capistrano National Bank	FDIC v. Ketchum, et al.	87-0679	USDC C.D. California
1	7557	CA	Centennial Savings & Loan Association	FSLIC v. Shah, et al. and related cases	C-87-1197 RHS	USDC N.D. California
1		CA	Columbus Savings & Loan Association	FSLIC v. Musacchio, et al.	C-86 6641 CAL	USDC N.D. California
2		CA	Columbus Savings & Loan Association	FSLIC v. Fidelity & Deposit Co. of Maryland	C-87 4675 CAL	USDC N.D. California
1	2351	CA	Commercial Bank of California	FDIC v. Carson		USDC
8	2351	CA	Commercial Bank of California	Moore v. American Casualty	89-7183 AWT	USDC California
1	2731	CA	Commonwealth Bank	FDIC v. Moore	89-4807 AUT (EX)	USDC C.D. CA
1	7542	CA	Consolidated Savings Bank	FSLIC v. Robert A. Ferrante, et al.	CA 86-3332 MRP (TX)	USDC C.D. CA
1	7542	CA	Consolidated Savings Bank	FSLIC v. Sandagna		
1	5891	CA	Empire National Bank	FDIC v. Ziegler	CV-86-27680 ANS	USDC C.D. California
1		CA	Eureka Federal Savings & Loan Association	FSLIC , EFS, et al. v. Kidwell, et al.	C86-1245 WHO	USDC N.D. California
1		CA	Eureka Federal Savings & Loan Association	EFS v. Big Three Mortgage et al.	290759	San Mateo County CA Sup. Ct.
1		CA	Eureka Federal Savings & Loan Association	Gilliam v. American Casualty Co.	C89-3813 WHO	USDC N.D. California
1	2526	CA	First City Bank of Glendale	FDIC v. Howard Hill, et al.	C574015	Superior Ct. of CA
2		CA	First California Savings Bank	Camino Real SB v. Employers Insurance of Wausau, et al.	51-45-28	Superior Ct. of CA Orange County
1	2619	CA	First National Bank of Willows	FDIC v. Hilger, Sr., et al.	CIVS 89-0337	USDC, E.D. CA

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1	2619	CA	First National Bank of Willows	FDIC v. Wilger	CIVS-89-0337 EJG--EM	USDC E.D. CA
1		CA	First Security Savings Bank	FDIC v. Irving Loube, et al.	89-2600	USDC N.D. CA
1		CA	First Security Savings Bank	FDIC v. Thomas H. Dey	C 89-2618 SAW	USDC N.D. CA
1	6796	CA	First Sierra Bank	FDIC v. Robert Thompson	CA-1986-A	CA State Court
1	6796	CA	First Sierra Bank	FDIC v. Woderking		Sup Ct. of California County of Los Angeles
1	2392	CA	Garden Grove Community Bank	FDIC v. Carter, et al.	CV 86-2557-WRP (TX)	USDC C.D. CA
1		CA	Gateway Savings Bank	FSLIC v. Alan C. Gon, et al.	C87-2116-TEH	USDC N.D. CA
8		CA	Gateway Savings Bank	First State Ins. Co. v. FSLIC	C87-6125-TEH	USDC N.D. CA
1		CA	Golden Pacific Savings & Loan Assoc.	FDIC v. Leif Soderling, et al.	C88-041-RFP	USDC N.D. CA
4	2450	CA	Golden Valley Bank	Drumley, et al. v. Golden Valley Bank,	CV-F-86-324 EDP	USDC E.D. California
1	6465	CA	Heritage Bank	FDIC v. Anteyan, et al. (Includes Atty Malpractice)	45389	Superior Ct. of Calif. County of Orange
1		CA	Homestate Savings & Loan Association	FSLIC v. Zandstra	C-88-3757-WWS	USDC N.D. San Francisco CA
2		CA	Homestate Savings & Loan Association	FSLIC v. Fidelity Ins. Co.	C-88-3756-WWS	USDC N.D. CA
3		CA	Homestate Savings & Loan Association	FSLIC v. Bitticks	C-88-3756-WWS	USDC N.D. CA
1	5757	CA	Independent National Bank	FDIC v. Dyke	SA CV88-581 JSL (RWRX)	USDC C.D. California
1	7566	CA	Mt. Whitney Savings & Loan Association	FSLIC v. Kong, et al.	CV-F-86-88-EDP	USDC E.D. California Fresno Branch
1	7577	CA	North American Savings & Loan Association	FDIC v. McKinzie, et al.	CV-87-00861-HLH(TX)	USDC C.D. California
1	7567	CA	Ramona Savings and Loan Association	FDIC v. Molinero	86-6016 AHS(GX)	USDC C.D. California
1		CA	Pacific Savings Bank	FDIC v. Baker	SACV 89-386 AHS	USDC C.D. California
2	7541	CA	Presidio Savings & Loan	FDIC v. Hill & Associates	CV-F89-567-EDP	USDC E.D. California
7		CA	Signal Savings & Loan Association	Signal Savings & Loan Association v. Herrera	CV 89-1424 WDK (JRX)	USDC C.D. California

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2		CA	Signal Savings & Loan Association	FSLIC v. New Hampshire Insurance Co.	SCV 90-0054 JSL (RWRX)	USDC C.D. California
7		CA	South Bay Savings & Loan Association	FDIC v. Kenneth D. Polin & Aylward	88-06100 RSWL (SX)	
1		CA	Southcoast Bank	FDIC v. Florio	86-5362 WDK (BX)	USDC C.D. California
1	7537	CA	Sun Savings & Loan Association	FSLIC v. et al.	86-1713-GT(M)	USDC S.D. California
1		CA	Tahoe Savings & Loan Association	FDIC v. Ramon Petragallo, Michael Petragallo, et al.	CIVS-90-413 MLS-EM (UNDER SEAL)	USDC E.D. California
1	6657	CA	Valencia Bank	FDIC v. James B. McDonald, et al. (includes Atty Malpractice)	51-40-50	Superior Ct. of Calif. County of Orange
1	6473	CA	West Coast Bank	FDIC v. Antin, et al.	C-5446-856	Sup. Ct. California
1		CA	Westwood Savings and Loan Association	FSLIC v. Edward Israel, et al.	CV 87-04124 WDK	USDC C.D. California
6		CA	Westwood Savings and Loan Association	FDIC v. Howard Jackson Assoc.	CV WDK	USDC C.D. California
1	5788	CO	American National Bank of Grand Junction	FDIC v. Joseph Hambright, et al.	88-736	USDC Colorado
1	2746	CO	Bank of Winter Park	To be filed in the very near future		
2	6743	CO	Buena Vista Bank & Trust Co.	FDIC v. American Casualty Co.		
1	6743	CO	Buena Vista Bank & Trust Co.	FDIC v. Bowen	88-CV-16746	State Dist. Ct. of Denver, Colorado
1		CO	Columbia Savings	First Columbia Financial Corp. & FDIC v. Gary Armes & Larry D. Haws	C.A. 89-CV 287	D. Colo.
5	7589	CO	Key Savings & Loan Association	FDIC v. Francis "Bud" Hildenbrand	89-A-535	USDC D. Colo.
5	7589	CO	Key Savings & Loan Association	FDIC v. Shearson , Lehman, Hutton, Inc.	CFTC 89-R198	(filed March 1989) Washington, D.C.
5	7589	CO	Key Savings & Loan Association	FDIC v. Prudential-Bache Securities, Inc., and Robb	CFTC-89-R200	(filed March 1989) Washington, D.C.
1	5937	CO	Metropolitan Industrial Bank	FDIC v. Gregory	88-CV-3326	USDC Denver
1	2511	CO	The Aurora Bank	FDIC v. Glen B. Clark, Jr. (including Attorney Malpractice)	88-647	USDC Dist. of Colorado
4	8707	FL	First American Bank & Trust	FABT v. Arthur I. Forgel, et al.	88-0638	S.D. Florida

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1	2551	FL	Florida Center Bank	American Casualty Co., v. FDIC, et al.	88-1064-CIV-ORL-19	USDC M.D. Florida
1	2551	FL	Florida Center Bank	FDIC v. John A. Bodzenk, et al.	89-338-CIV-ORL-19	UDOC M.D. Florida
7	2551	FL	Florida Center Bank	FDIC v. Jeffery Rubenstein, et al.	87-959-ORK-Civ-18	USDC M.D. Florida
7	2551	FL	Florida Center Bank	FDIC v. Alvin Cassel	88-854-CIV-ORL-18	USDC Orlando
8	2551	FL	Florida Center Bank	American Casualty Co., v. FDIC, et al.		
8	2551	FL	Florida Center Bank	Continental Casualty Co., v. FDIC and Stewart	89-6937	USDC S.D. Florida
2	7526	FL	Intercapital Savings Bank	FDIC v. F&D	88-528-CIV-J-16	Pending in USDC M.D. FL Jacksonville Div.
7	7526	FL	Intercapital Savings Bank	FSLIC v. Dreyer and Traub, et al.		Pending in USDC M.D. FL Jacksonville Div.
1	2536	FL	Park Bank of Florida	FDIC v. Kearny, et al. (includes Attorney Malpractice)	87-1898-Civ-T-13A	USDC M.D. Florida
3	2536	FL	Park Bank of Florida	FDIC v. Cherry, Bekaert		
4	2536	FL	Park Bank of Florida	FDIC v. Jenkins, et al.	86-566-Civ-T-10	USDC M.D. Florida
4	2536	FL	Park Bank of Florida	Jenkins v. Jacobs		USDC M.D. Florida
7		FL	Southern Floridabanc Savings & Loan	FDIC v. M. Jan Akre, et al.	90 CIV 2549	USDC NY
1	7543	FL	Sunrise Savings & Loan Association	FDIC v. Jacoby	MDL 655	USDC E.D. PA
2	7543	FL	Sunrise Savings & Loan Association	FDIC v. F&D of Maryland	MDL 655	USDC E.D. PA
3	7543	FL	Sunrise Savings & Loan Association	FDIC v. Deloitte, Haskins & Sells	MDL 655	USDC E.D. PA
1		IA	Bank of Bronson	FDIC v. Kee	86-C-175	Bourboun County Court
1	2555	IA	Bedford National Bank	FDIC v. William Burrell, et al.	86-357-E	USDC S.D. Iowa
1	7574	IA	Capitol Federal Savings Bank	FSLIC v. McCuen, et al.	87-92-B-2	USDC S.D. IA
1		IA	Commerical State Bank	FDIC v. Michael J. Kelly, et al.	(recent filing)	USDC S.D. Iowa
1	2510	IA	Early Savings Bank	FDIC v. Kelley	C 88-4127	USDC N.D. Iowa W.D.
1	2397	IA	Farmers National Bank of Aurelia	FDIC v. John W. Christenson, et al.	CIV. C 85 4217	USDC Iowa N.D. W. Div.

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8	2397	IA	Farmers National Bank of Aurelia	American Casualty Company of Reading, PA v. FDIC, et al.	C86-4018	USDC Iowa N.D. W. Div.
1	2397	IA	Farmers National Bank of Aurelia	FDIC v. Christiansen, et al.	C85-4217	USDC Iowa N.D. W. Div.
2	2508	IA	Graettinger State	FDIC v. American Casualty Co. of Reading, PA	C87-3168	USDC N.D. Iowa Central Division
2	2445	IA	Inwood State Bank	FDIC v. St. Paul Fire & Marine Ins. Co.	C874097	USDC Iowa
2	2445	IA	Inwood State Bank	American Casualty Co. of Reading, PA v. FDIC, et al.		
1	2633	IA	Latimer Bank & Trust Co.	FDIC v. Donald Koch	C88-3079	USDC Iowa N.D. W. Div.
1	2489	IA	Mineola State Bank	FDIC v. Foreman, et al.	88-77-W	USDC S.D. Iowa
1	2416	IA	Oakland State Bank	FDIC v. Shensey, et al.	CIV. 87-84-W	USDC Iowa S.Dist. W. Div.
2	2414	IA	Oakland State Bank	FDIC v. Continental Insurance Co.	86-105W	USDC S.D. Iowa WD
	2414	IA	Oakland State Bank	FDIC v. White	87-96-W	USDC S.D. Iowa
1	2462	IA	Story County Bank	FDIC v. Roy A. Sweet, et al.	CV 88-257A	S.D. Iowa Central Div.
1		IA	Williams Savings Bank	FDIC v. Collier	C88-3106	USDC N.D. Iowa
1	2558	ID	First Bank & Trust Co. of Idaho	FDIC v. Broadhead	7-800	St. Dist. Ct. Oneida City
3	2558	ID	First Bank & Trust of Idaho	FDIC v. Main Hurdman	CIV-87-4124	USDC Idaho
1		IL	Concordia Federal Bank for Savings	FDIC v. Guerrera, et al.		Orange County California
2	2402	IL	Continental Illinois National	FDIC v. Hartford Insurance Co. of Illinois	No. 87-C-8682	USDC N.D. Ill. ED
3	2402	IL	Continental Illinois National Bank & Trust Co.	FDIC v. Main Hurdman	CIV-S-85-552(LKK)	E.D. California
1		IL	1st Financial Savings & Loan Assoc.	FSLIC v. Powers, et al.	83 C 2937	USDC N.D. Illinois
1		IL	1st Financial Savings & Loan Association	American Mortgage Capital v. Cambridge	87 C 114	USDC N.D. Illinois
1	2357	IL	First National Bank of Danvers	FDIC v. Yoder, et al.	86-3189	USDC C.D. Illinois
1		IL	Life Savings of America	FDIC v. Fanslow, et al.	89 C 20219	USDC N.D. Ill.

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1	7503	IL	Manning Savings & Loan Association	FSLIC v. I-TEX, et al.	83 C 3994	USDC N.D. Ill.
1	7505	IL	Manning Savings & Loan Association	FSLIC v. Harold Ticktin, et al.	83 C 2997	USDC N.D. Ill.
	2632	IL	State Bank of Cuba	FDIC v. Grove, et al.	88-1140	USDC C.D. Illinois
1	6408	IL	Tri-State Bank	FDIC v. Bryson, et al.	84L 2501	Cook County Cir. Ct.
1	6471	IL	United of America Bank	FDIC v. Warren N. Barr, Jr.	88L 11149	Cir. Ct. of Cook Co. Ill.
1	2398	IL	Washington National Bank of Chicago	FDIC v. Cyr	89 C 4065	USDC N.D. IL
1	2518	IN	Allen County Bank & Trust	FDIC v. Stanley, et al.	F87-325	USDC N.D. of Indiana, Fort Wayne Div.
1	6843	IN	Citizens State Bank	FDIC v. Kamman	86 001-8904-CP-30	In the Jackson Cir. Ct.
1	6843	IN	Citizens State Bank	FDIC v. Benter, Darlage, Morrow, et al.	(Not yet filed)	
1	2638	IN	Farmers National Bank of Remington	FDIC v. Arnold Atkinson et al.	L88-0059	USDC N.D. of Indiana, Hammond Div.
1	2667	IN	Morocco State Bank	FDIC v. Brown	L-89-0043	USDC N.D. Indiana
1	2381	IN	Shelby National Bank of Shelbyville	FDIC v. McDaniel	IP-87-4160	USDC (SD of Indiana)
		KS	Coronado FS&LA	FDIC, et al. v. Mario Rendo, et al.	85-2216-O	USDC Kansas
2		KS	Farmers State Bank	FDIC v. Fidelity & Deposit Co. of MD	88-2227-O Declaratory Judgment F&D v. FDIC 88-1278-K	USDC Kansas
1		KS	First Federal Savings & Loan Association	FSLIC v. Niewald, et al.	85-4168-R	USDC KS
3		KS	First Federal Savings & Loan Association	Freedom F&SA v. First Federal S&LA of Shawnee v. Ridgewood Partners, et al.	CIV87-912	W.D. OK
1	5906	KS	Mayfield State Bank	FDIC v. Noll	89-2473-S	USDC Kansas
1	5907	KS	Murdock State Bank	FDIC v. Noll	89-2473-S	USDC Kansas
3		KS	Rooks County Federal Savings & Loan	Roger Comeau, et al. v. Terry Rupp, et al. (Grant Thornton)	No. 86-1531-T	USDC Kansas
1		KS	State Bank of Bronson	FDIC v. Kee	86-C-175	Bourbon County Court
1	2598	KS	State Exchange Bank of Yates Center	FDIC v. Oakes	89-2261-S	USDC Dist. of Kansas

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5		KY	Lincoln Federal Savings & Loan Association	Lincoln v. E.F. Hutton & Co., Inc., et al.	C-86-0973-L(A)	USDC W.D. KY
2	2759	KY	Peoples Bank of Olive Hill	FDIC v. Reliance Ins. Co.		
1		LA	Acadia Savings & Loan Association	FDIC v. Edmund N. Reggie, et al.	CV88-2013 "O" (Shaw)	USDC W.D. LA
1	7522	LA	Alliance Federal Savings & Loan Association	FSLIC v. Guy W. Olano, Jr., et al.	86-0472	USDC E.D. LA
7	7522	LA	Alliance Federal Savings & Loan Association	FSLIC v. Guy W. Olano, Jr., et al.	85-4230	USDC E.D. LA
1	2602	LA	American Bank & Trust Co. of Lafayette Louisiana	FDIC v. Stuart	CV 89-2222	USDC W.D. LA
2	7535	LA	Audubon Federal Savings & Loan Association	FDIC v. Aetna, et al.	86-1066 c/w 86-3859, 86-3847; 87-5127; 88-0188; "D" (2)	USDC E.D. LA
	2567	LA	Bank of Commerce	FDIC v. Mijalis, et al.	CIV 89-1316	USDC W.D. LA
1	2529	LA	Bank of Dixie	FDIC v. Lansing	89-0013	USDC W.D. LA
2	2690	LA	Bank of Oak Grove	FDIC v. F&D of MD	87-475A	USDC M.D. LA
1	2566	LA	Bossier Bank & Trust Co.	FDIC v. Alley, et al.	CV 88-3161	USDC W.D. LA
8	2566	LA	Bossier Bank & Trust Co.	FDIC v. National Union	CV-89-0273	USDC W.D. LA
1	2727	LA	Breaux Bridge Bank & Trust	FDIC v. Bernard and CNA	CV 89-2227	USDC LA
3	2727	LA	Breaux Bridge Bank & Trust	FDIC v. Tidwell & Assoc.	CV 89-2082	USDC LA
2	2744	LA	Capital Bank & Trust	FDIC v. F&D of MD	CIV-87-319	M.D. Louisiana
4	2744	LA	Capital Bank & Trust	Randy Jackson, et al. v. Capital Bank & Trust Co., Trustee, et al.	CIV-88-895	M.D. Louisiana (ESOP Suit)
4	2744	LA	Capital Bank & Trust	Nugent, et al. v. Capital Bank & Trust Co., et al.	No. 90-100A	
1		LA	Crescent Federal Savings Bank	FDIC v. Kevin C. Schoenberger, et al.	89-2756 "L" (2)	USDC E.D. LA
2		LA	Crescent Federal Savings Bank	FDIC v. Fidelity & Deposit Co. of MD	(not filed)	
3		LA	Crescent Federal Savings Bank	FDIC v. Kevin C. Schoenberger, et al.	89-2756 "L" (2)	USDC E.D. LA

Code	Firm#	State	Bank	Suit	Docket No.	Court
7		LA	Crescent Federal Savings Bank	FDIC v. Kevin C. Schoenberger, et al.	89-2756 "L" (2)	USDC E.D. LA
1	2549	LA	First National Bank of Ruston	FDIC v. Barham	89-0776	USDC W.D. LA
1		LA	First Savings of Louisiana	FDIC v. Durel J. Matherne, et al.	89-5388	USDC E.D. LA
1		LA	Gulf Federal Savings Bank	FDIC v. John Manahat	89-3160	US Ct of Appeals 5th Cir.
1	7556	LA	Liberty Federal Savings & Loan Association	FDIC v. James D. Kague	88-51898-K	USDC W.D. Texas San Antonio Div.
7,6	7556	LA	Liberty Federal Savings & Loan	(Case under seal)		USDC W.D. LA
2	2956	LA	National Bank of Bossier City	FDIC v. Aetna Casualty Surety Co.	82-0269	USDC W.D. LA
7	7536	LA	New Orleans Federal	FSLIC v. Jolley	89-2755	USDC E.D. LA
7	7536	LA	New Orleans Federal	FSLIC v. Woods	S89-0438(0)	(S.D. MS.)
1	7534	LA	Northlake Federal Savings & Loan Assoc. Association	FSLIC v. John A. Sutherlin, Jr. (settlement pending)	86-0240-E	USDC E.D. LA
6	7534	LA	Northlake Federal Savings & Loan Assoc.	FSLIC v. Max J. Derbes, Jr., et al.	86-2764 Sec K(1)	USDC E.D. LA
2	2609	LA	Republic Bank	FDIC v. Aetna Casualty & Surety Co.		USDC W.D. CA
1		LA	Security Homestead Association	FDIC v. International Insurance Co., d/b/a Crum & Forster, Inc.	89-4199	USDC E.D. LA
1	7530	LA	Sun Belt Federal Bank	FSLIC v. Shelton, et al.	86-39 3-B	USDC M.D. LA
6	7530	LA	Sun Belt Federal Bank	FSLIC v. Blake & Associates, et al.	89-8196	USDC S.D. FL
6	7530	LA	Sun Belt Federal Bank	FSLIC v. XYZ Ins. Co., et al.	CIV 86-394A	USDC M.D. LA
6	7530	LA	Sun Belt Federal Bank	FSLIC v. William Cobb	89-325 "A"	USDC M.D. LA
6	7530	LA	Sun Belt Federal Bank	FSLIC v. Pike	319-750	24th Judicial Dist. LA
6	7530	LA	Sun Belt Federal Bank	FSLIC v. Fazio, et al.	89-328 "A"	USDC M.D. LA
7	7530	LA	Sun Belt Federal Bank	FSLIC v. Roth	317-769	24th Judicial Dist. LA
7	7530	LA	Sun Belt Federal Bank	FSLIC v. Lensing, Gravel, et al.	89-329 "A"	USDC M.D. LA
2	7530	LA	Sun Belt Federal Bank	FSLIC v. McKinnis	89-327 "A"	USDC E.D. LA

Code	Firm#	State	Bank	Suit	Docket No.	Court
6	5963	MA	First Services Bank for Savings	Mary Hurley, et al. v. FDIC as Liquidating Agent	88-1940-T	D. Mass
1	5795	MA	The First National Bank of Marlboro	FDIC v. Edward J. Toone, et al.	87-0544-MC	USDC Dist. of Massachusetts
1		MD	Fidelity Federal Savings & Loan Assoc.	FSLIC v. Heldrick , et al.	HM-86-77	D. of MD
1	7552	MD	First Federal of Maryland, FSB	FSLIC v. David B. Roy, et al.	JFM 87-1227	USDC Maryland
6	7552	MD	First Federal of Maryland, FSB	FSLIC v. John Childs & Co., Inc.	88-00873 HMF	USDC Hawaii
1	2378	MI	National Bank & Trust Company of Traverse City	FDIC v. Pearce, et al.	G 81-709 CA7	Fed. Dist. Court Michigan
1		RI	United States Mutual Savings & Loan	FSLIC v. Quinlan	86 CV 73343-DT	USDC E.D. MI
1	2614	MN	Chokio State Bank	FDIC v. Dorweiler, et al.		
1	2391	MN	First National Bank of Prior Lake	FDIC v. Amundson	4-87-432	Dist. Ct. MN
8	2391	MN	First National Bank of Prior Lake	National Union v. Amundson	4-89-876	
1	2623	MN	First National Bank of Stewartville	FDIC v. Herrick	3-88-504	USDC Dist. of Minn.
1	5021	MN	First National Bank of West Concord	FDIC v. Gordinier	3-89-CIV 24	USDC Dist. MN
1	5068	MN	First National Bank of Wilmont	FDIC v. Larry Brockberg	3-87-506	USDC 3rd Division Minn.
1	5009	MN	State Bank of Greenwald	St. Paul Fire & Marine Ins. Co. v. FDIC	3-89-CIV 326	USDC MN
1	7562	MO	Bohemian Savings & Loan Association	FDIC v. Capozzi	86-0233-C-5	USDC E.D. MO
7	7562	MO	Bohemian Savings & Loan Association	FDIC v. Helme	89-1266-C-5	USDC E.D. MO
1	2504	MO	First National Bank of St. Joseph	FDIC v. Dannen	88-6145-CV-SJ-6	USDC W.D. Missouri St. Joseph Division
1	2480	MO	Linn County State Bank	FDIC V. Coble, et al.	88-0104-C	E.D. MO
1	7551	MS	First Southern S&LA	FDIC v. Gregory, et al.	S90-0139	USDC S.D. Miss (Biloxi) Southern Division
1		MS	North Mississippi Savings & Loan Association	FDIC v. Villard, et al.	WC 86-51-LS-D	USDC N.D. Miss. Western Division
1	2306	MS	The Mississippi Bank	FDIC v. Denson, et al.	J87-0264	USDC S.D. Miss.

Code	FINF	State	Bank	Suit	Docket No.	Court
1	2386	MS	The Mississippi Bank	International Ins. Co. v. McMullan	J86-0760(V)	USDC S.D. Miss.
2	2565	MT	Bank of Columbia Falls	FDIC v. Aetna Casualty Surety Co.	CV-88-22-M-CCL	USDC D. Montana Missoula Division
2	7521	MT	Montana Federal Savings Bank	FDIC v. Aetna v. Kis, et al.	CV-87-147-M-CCL	USDC D. Montana Missoula Division
2		ND	Midwest Federal Savings Bank	FSLIC V. Peterson and Dunlevy	A2-86-106	USDC D. of ND
1	2539	NE	First National Bank of Tekamah	FDIC v. Estate of Kermit Wagner	87-0-424	USDC
1	2585	NE	Gering National Bank & Trust Co.	FDIC v. Huckfeldt, et al.	CIV-89-0-407	Dist. Ct. NE
5		NJ	Lincoln Federal Savings & Loan Assoc.	Lincoln FS&LA v. Thompson McKinnon Securities, Inc.	87-2107	USDC Dist. of New Jersey
1	2339	NJ	Pan American National Bank	National Union v. Almora, et al.	85-5665 SAA	USDC NJ
7	7560	NJ	Tri-County Savings & Loan Association	FSLIC v. Greenbaum, Rowe, et al.	No. L-070020-87	NJ, Sup. Ct. Camden County
4	7560	NJ	Tri-County Savings & Loan Association	Garz v. Jonathan Rahn, et al.	88-4791	ED PA
4	24__	NM	Moncor Bank, N.A.	Jackson, et al. v. Daniels, et al.	84-1329-C	USDC Dist. of N. Mexico
4	24__	NM	Moncor Bank, N.A.	Black, et al. v. Moncor Inc., et al.	85-1063-C	USDC Dist of N. Mexico
4	24__	NM	Moncor Bank, N.A.	Johnson, et al. v. Moncor Inc., et al.	85-1636-C	USDC Dist. of N. Mexico
4	24__	NM	Moncor Bank, N.A.	Greenfield v. Daniels, et al.	CIV. 84-0407	USDC Dist. of N. Mexico
1	24__	NM	Moncor Bank, N.A.	CNA v. FDIC, et al.	Civ 87-1255M	USDC Dist. of N. Mexico
4	24__	NM	Moncor Bank, N.A.	Eden, et al. v. Moncor Inc., et al.	85-1573-C	USDC Dist. of N. Mexico
1	24__	NM	Moncor Bank, N.A.	FDIC v. Dalton Bell, et al. (Carlsbad)	88-1020M	USDC Dist. of N. Mexico
1	24__	NM	Moncor Bank, N.A.	FDIC v. Harriett C. Peckham (Ruidoso)	88-1022JB2	USDC Dist. of N. Mexico
1	24__	NM	Moncor Bank, N.A.	FDIC v. Darrell W. Marker, et al. (Roswell)	88-1019JP	USDC Dist. of N. Mexico
1	24__	NM	Moncor Bank, N.A.	FDIC v. Stanley E. Bowman, et al. (Albuquerque)	CV 88-1018M	USDC Dist. of N. Mexico
1	24__	NM	Moncor Bank, N.A.	FDIC v. Reed M. Chittim, et al. (Hobbs)	88 1021JC	USDC Dist. of N. Mexico

Code	File#	State	Bank	Suit	Docket No.	Court
1	2578		New Mexico National Bank	FDIC v. Bowman, et al.	88-1018M	USDC NM
1		NY	Flushing Federal Savings & Loan	FSLIC v. Carl Cardascia, et al.	87 Civ. 0002 (JBW)	USDC E.D. NY
*1		NY	Flushing Federal Savings & Loan	FSLIC v. The North River Ins.* (*Declaratory Judgment on D&O policy)	87 Civ. 0543 (JBW)	USDC E.D. NY
2		NY	Flushing Federal Savings & Loan	Flushing Federal Savings & Loan Assoc. v. Aetna Casualty & Surety Co.	86 1325 (JBW)	USDC E.D. NY
1	5975	NY	Guardian Bank, N.A.	FDIC v. Zimmer (Attorney Malpractice)		
1		OH	Ohio Valley Savings & Loan Company	FDIC v. Job Boughner	C2-87-800	USDC S.D. Ohio
1	7580	OK	American Federal Savings & Loan Assoc.	FDIC v. Bell	CIV-88-1211-A	USDC W.D. Oklahoma
2	2626	OK	American State Bank	FDIC v. U.S. Fire		
1	2556	OK	Bank of Commerce & Trust	FDIC v. Behnken	88-C-452-C	USDC (Tulsa)
1	2463	OK	Bank of Newcastle	FDIC v. Richard A. Gray, et al.	CIV 88-839W	W.D. Oklahoma
1	2597	OK	Central Bank & Trust Co.	FDIC v. Brown J. Akin, et al.	87-C-950B	N.D. Oklahoma
1	5779	OK	Cordell National Bank	FDIC v. Ellower, et al.	89-2110P	W.D. Oklahoma
4	2701	OK	Eighty-Niner Bank of Coyle	Mueller v. Rycroft	CIV-89-2177R	USDC W.D. Okla.
1	2709	OK	Farmers & Merchants Bank	FDIC v. Perry	CIV-87-2018-R	W.D. OK
1	5638	OK	Farmers & Merchants Bank of Hennessey	FDIC v. Bruce Bryan, et al.	CIV-85-1627-T	W.D. OK
1	2676	OK	First City Bank, N.A.	FDIC v. McClain, et al.	CIV-88-1063-A	USDC W.D. Oklahoma
2		OK	First City Bank	FDIC v. U.S. Fire Insurance Co.		
1	6679	OK	First Continental Bank & Trust Co. of Del City	FDIC v. Love, et al.	CJ-86-6451	Dist. Ct. of OK County
2	5902	OK	First National Bank of Harmon	FDIC v. Kansas Bankers Surety	CV 89-1340-A	USDC W.D. OK
1	2634	OK	First National Bank of Rush Springs	FDIC v. Appling	CIV 89 883-A	USDC W.D. OK
1	5771	OK	First National Bank of Temple	FDIC v. White, et al.	88-1962-T	USDC W.D. OK
2	5903	OK	First National Bank of Tipton	FDIC v. Kansas Bankers Surety	CV 89-1340-A	USDC W.D. OK

Code	FIN#	State	Bank	Suit	Docket No.	Court
1	4096	OK	First State Bank of Blanchard	FDIC v. John Hudson	CJ 88-811	Dist. Ct. Oklahoma County
7		OK	Home Savings & Loan	FSLIC v. Ferguson	CIV-88-1685A	USDC W.D. Okla.
3	7569	OK	Investors Federal Bank, FSB	FDIC v. Regier Carr & Monroe	88-C-1437-B	N.D. Okla.
1		OK	Kingfisher Federal Savings & Loan Association	FDIC v. Estate of Gary Grabow	CIV-88-1662-R	W.D. Okla.
1		OK	Oklahoma Federal Savings & Loan Association	FDIC v. Wilkinson, et al.	CIV-89-505-A	USDC W.D. Okla.
3		OK	Oklahoma Federal Savings & Loan Association	Oklahoma FS&LA v. Regier Carr & Monroe	CIV-87-2051T	USDC W.D. Okla.
8		OK	Oklahoma Federal Savings & Loan Association	American Casualty Co. of Reading, Pa. v. Wilkenson, et al.	CIV-89-1609-W	USDC W.D. Okla.
1	2637	OK	Peoples State Bank of Holdenville	FDIC v. Thomas Tredwell	87-2028R	USDC West D. Oklahoma Hughes County Dist. Ct.
1	2490	OK	Security Bank & Trust of Midwest City	FDIC v. Jerry W. Barker, et al.	CIV 88 1359R	W.D. Oklahoma
1	2631	OK	Security National Bank	FDIC v. Armstrong, et al.	90-0027W	USDC W.D. Okla.
2		OK	Security Savings Assoc. of Texarkana	Lloyd's U.S. v. FDIC	3-89-2503-H	USDC W.D. TX Dallas Div.
1		OK	Security State Bank	FDIC v. Ferris	88-2289A	USDC W.D. OK
5	7564	OK	Territory Savings & Loan Association of Seminole, Oklahoma	FDIC v. F.S.I. Futures, Inc., et al.	88 CIV 0906 PNL	S.D. NY
2	2919	OK	Town & Country Bank	FDIC v. Kansas Bankers Surety Co.	90-C-101-B	N.D. OK
1	7570	OK	United Federal Savings & Loan Association	FSLIC v. Mittelstet	CIV-90 162W	USDC W.D. OK
1	2662	OK	United Oklahoma Bank	FDIC v. Tucker	90-435-B	USDC OK
1	7581	OK	Universal Savings Association	FSLIC v. Larry Sevier, et al.	87-2095R	USDC W.D. OK
5	7581	OK	Universal Savings Association	FSLIC v. Gelderman, Inc., et al.	89 6091	W.D. OK
5	7581	OK	Universal Savings Association	FSLIC v. First Investment Securities	CIV-LR-C-85-778	USDC E.D. AR
1	2412	OR	Bank of the Northwest	FDIC v. Compton	87-6413-E	USDC Dist. of Oregon
1	7565	OR	Citizens Savings & Loan Association	FSLIC v. Rawlins, et al.	87-504-JV	USDC OR

Code	FIN#	State	Bank	Suit	Docket No.	Court
2	7565	OR	Citizens Savings & Loan Association	FSLIC v. American Casualty Corp. v.	88-1430-JV	USDC OR
2	7565	OR	Citizens Savings & Loan Association	FDIC v. American Casualty Co.	90-404-MA	USDC Dist. OR
1	2376	OR	United Bank of Oregon	FDIC v. Adams, et al. (includes Attorney Malpractice)	87-206 FA	Fed. Dist. Ct. Oregon Pending at 9th Cir. on appeal
2	2271	PR	Banco De Ahorro	FDIC v. Reliance Ins. Co.		USDC Dist. of Puerto Rico
2	2350	TN	City & County Bank Anderson	FDIC v. Aetna	CIV-No. 3-84-1020	USDC E.D. Tenn Northern Division
3	2350	TN	City & County Bank of Anderson	FDIC v. Ernst & Whinney	CIV-3-87-364	USDC E.D. TN N.D.
2	2346	TN	City & County Bank of Knox County	FDIC v. Aetna	CIV-No. 3-85-119	USDC E.D. Tenn Northern Division
3	2346	TN	City & County Bank of Knox County	FDIC v. Ernst & Whinney	CIV-3-87-364	USDC E.D. TN N.D.
1	2440	TN	Citizens Fidelity Bank Bristol	FDIC v. Trammel	CIV-2-87-263	USDC East Div. Tenn. N.E. Div.
2	2349	TN	City & County Bank Roane County	FDIC v. Aetna	CIV-3-85-1234	E.D. TN, ND
2	2369	TN	Farmers Bank & Trust	FDIC v. St. Paul Fire & Marine Ins. Co.		USDC C.D. Tenn Northern Division
2	2579	TN	Farmers Bank of Trimble	Central National Ins. v. Farmers Bancorp and FDIC	88-2280HA	USDC W.D. TN
2	2475	TN	First Bank & Trust Co.	Glenn Falls Insurance Co.		
1	2355	TN	First Peoples Bank of Washington County	FDIC v. Cowley, Jr., et al.	7299	Chancery Ct. Rhea County
2	2355	TN	First Peoples Bank of Washington County	FDIC v. Aetna	CIV-2-85-544	USDC E.D. TN N.D.
3	2355	TN	First Peoples Bank of Washington County	FDIC v. Ernst & Whinney	CIV-3-87-364	USDC E.D. TN N.D.
1		TN	Security Trust Savings & Loan Association	FDIC v. David L. Taylor III	CIV-3-87-0041	USDC E.D. TN
2	2348	TN	United American Bank of Hamilton County	FDIC v. Aetna	CIV-1-85-797	E.D. TN, ND
2	1123	TN	United American Bank in Knoxville	FDIC v. Aetna	CIV-3-85-1242	USDC E.D. TN
1	1123	TN	United American Bank in Knoxville	Young v. National Union, et al.	3-86-726	USDC E.D. TN N.D.

Code	FIN#	State	Bank	Suit	Docket No.	Court
3	1123	TN	United American Bank in Knoxville	FDIC v. Ernst & Whinney	CIV-3-87-364	USDC E.D. TN N.D.
2	23__	TN	United Southern Bank	FDIC v. Aetna	Civil No. 3-85-1620 (USBN)	USDC M.D. Tenn Nashville Div.
1	2347	TN	United Southern Bank of Nashville	FDIC v. Woods, et al.	3-85-0045	USDC M.D. Tenn. Nashville Div.
1		TN	Valley Federal Savings Bank	First Federal Savings & Loan Association v. Robert Norris, et al.	7275	Chancery Ct. of Rhea County, TN
1		TX	Alliance Savings & Loan Association	FDIC v. James Howse, et al.	H-89-11908	USDC S.D. TX
1		TX	American Bank Savings Association	American Bank Savings Assoc. v. U.S. Fire Ins. Co.	40 544	7th Judicial Dist. Harrison County
7		TX	Brownfield Savings & Loan Association	FSLIC v. Vineyard, et al.	CA3-88-130-G	USDC N.D. TX
4	2517	TX	Chester State Bank	Don Schautteet v. Chester State Bank	B-86-1259 CA	USDC for the Eastern District of Texas, Beaumont Div.
1	2517	TX	Chester State Bank	FDIC v. Schautteet	(recent filing)	USDC E.D. TX Beaumont Div.
1		TX	City Savings & Loan Association	Lamar Financial Corp. v. Stanly E. Adams, Jr., et al.	A88-CA-183	USDC W.D. TX
1	2540	TX	City National Bank of Plainview	FDIC v. Holmes, et al.	CA5-89-0062	USDC N.D. TX
6		TX	Commodore Savings Association	FDIC v. Trident Financial Corp. and Barrentine, Lott & Associates, Inc.	CA-3-88-2164	USDC N.D. TX
8		TX	Community Bank, N.A.	FDIC v. Altaf Adam, et al.	H-89-0654	USDC S.D. TX
1	5936	TX	Cy-Fair Bank	FDIC v. Curtis Lovett	88-15629	USDC Southern Dist. Texas Houston Div.
1	5936	TX	Cy-Fair Bank	FDIC v. Billy J. Lovett	C.A.H.-88-1642	USDC Southern Dist. of Texas, Houston Div.
1	5936	TX	Cy-Fair Bank	FDIC v. C. Howard Leverett, Jr.	88-17207	USDC Southern Dist. of Texas, Houston Div.
1	5936	TX	Cy-Fair Bank	FDIC v. Ken Henderson	88-14409	USDC Southern Dist. of Texas, Houston Div.

Code	FIN#	State	Bank	Suit	Docket No.	Court
1	2507	TX	Early Bank	FDIC v. Wheat	CA-6-88-27E	USDC W.D. Texas
6	7508	TX	Empire Savings & Loan Association	FSLIC v. Faulkner	CA85-2360-T	N.D. TX
8	7508	TX	Empire Savings & Loan Association	Empire S&LA v. U.S. Fire Ins. Co.	CA3-84-0442-F	N.D. TX Houston
7	5978	TX	Fallbrook National Bank	Fallbrook National Bank v. James A. Gilbert, et al.	89-15732	152nd. Jud. Dist. Harris County, TX
2	2509	TX	First Citizens Bank	FDIC v. IBAT Bond Trust		
2	2537	TX	First National Bank, Gorman, Texas	FDIC v. Commercial Ins. Co.	CA1-86-13W	N.D. Texas Abilene Division
2	2964	TX	First National Bank of Bogata	FDIC v. Commercial Ins. Co. of Newark, NJ	D-89-48-CA	USDC E.D. TX
1	2552	TX	First National Bank of Irving	FDIC v. Holmes, et al.	CA-3-89-1025D	N.D. Texas
1		TX	First National Bank of Denton	FDIC v. Harris	S-88-153-CA	USDC E.D. TX
3	4157	TX	First National Bank of Sanger	First National Bank of Sanger v. Weston Wright	88-3136-D	362nd Jud. Dist. Denton County, TX
2	5476	TX	First National Snyder, Texas	FDIC v. U.S. Fire		
1	2561	TX	First State Bank and Trust Co. Edinburg, TX	FDIC v. Aderhold	M-89-098	USDC S.D. TX
1	2740	TX	First State Bank of Bovina	FDIC v. Grisson	CA-88-0134-W	USDC N.D. TX Lubbock Div.
1		TX	First Texas/Gibraltar Savings Assoc.	FDIC v. Goulding, et al.	CA3-89-0269-C	USDC N.D. TX
		TX	First Texas/Gibraltar Savings Assoc.	FDIC v. Woo, James, Herwick, Peck	CA3-89-0211-C	USDC N.D. TX
6		TX	Franklin Savings Association	FDIC v. Texas Real Estate Counselors	A-88-CA947	W.D. TX
1		TX	Guaranty Federal Savings & Loan Assoc.	FDIC v. Cheng, et al.	CA3-90-0353-H	USDC N.D. Texas
1		TX	Independent American Savings Assoc.	FDIC v. Crowe, et al.	CA3-86-3166-T	USDC N.D. Texas
1		TX	Interwest Savings Association	FDIC v. W. Glenn Ragle, et al.	348-105229-87	Pending in 348th J.D.C. Tarrant County, Tex.
1		TX	Irving Savings Association	FDIC v. Gordon G. Melcher, et al.	CA3-85-1817-F	USDC N.D. TX Dallas Div.
2		TX	Irving Savings Association	FDIC v. United State Fire Ins. Co.	CA3-87-2923-F	USDC N.D. TX Dallas Div.

Code	FIN#	State	Bank	Suit	Docket No.	Court
1		TX	Lamar Savings Association	FDIC v. Stanley E. Adams, Jr., et al.	A-88-CA-183	USDC W.D. TX Austin Div.
4		TX	Lee Savings Association	Thomas Borchers, et al. v. Roy C. Marshall, et al.	A-89-Ca-100	USDC W.D. TX Austin Div.
3		TX	Lee Savings Association	Lee Savings v. Touche Ross & Co.	A-89-Ca-116	USDC W.D. TX Austin Div.
1		TX	(1)Mercury Savings Association of Texas (2)Ben Milam Savings and Loan Association (Institutions operated as single entity for many purposes).	American Federal Bank, F.S.B., et al. v. George J. Aubin, et al.	H-87-3352 ("Aubin Note Suit")	USDC S.D. TX Houston Div.
7		TX	(1)Mercury Savings Association of Texas (2)Ben Milam Savings and Loan Association (Institutions operated as single entity for many purposes).	FDIC v. Greenstein, Logan & Co.	H-89-3092	USDC S.D. TX Houston Div.
1		TX	(1)Mercury Savings Association of Texas (2)Ben Milam Savings and Loan Association (Institutions operated as single entity for many purposes).	FSLIC v. J.B. Haralson, et al.	H-89-798	USDC S.D. TX Houston Div.
1	2640	TX	Montgomery County Bank, N.A.	FDIC v. West	H-89-862	USDC S.D. TX
1	5713	TX	National Bank of Texas (Austin)	FDIC v. Taylor	A-87-CA 465	USDC W.D. TX
2	5851	TX	North Central National	Lee Savings Assoc. v. Pflugerville Investments, et al.	413,764	299 Jud. Dist. Ct. Travis County, TX
1	2513,	TX	Northshore Bank	FDIC v. Crook	H 88-3883	USDC S.D. TX Houston Div.
1	2696	TX	Northwest Commercial Bank, N.A.	FDIC v. Conner	H-89-042	USDC S.D. TX
1		TX	Peoples Savings & Loan Association	Peoples S&LA v. Jerry Don Holley	BR 88-60012 Adversary 88-6035	USDC W.D. TX Waco Div.
1	7604	TX	Ranchers Savings Association	FDIC v. Panayiotus	89-01935-H5-7	BK S.D. CA
2		TX	Security Savings Bank	FDIC v. U.S. Fire		
1	5464	TX	Seminole State National Bank	FDIC v. Spikes, et al.	CA5-87-043	USDC N.D. Texas
2	5464	TX	Seminole State National Bank	FDIC v. Allen, et al.	CA5-86-314-K	USDC N.D. Texas
4	5464	TX	Seminole State National Bank	Leach, et al. v. FDIC, et al.	CA5-86-67	USDC N.D. Texas
1		TX	Sentry Savings Association	FSLIC v. Wiley	CA-5-89-026-C	USDC N.D. Texas

Code	FIN#	State	Bank	Suit	Docket No.	Court
1	5949	TX	Southwest National Bank	Southwest National Bank v. Hartman	88-44683	269th Jud. Dist. Ct. Harris County, TX
1	5949	TX	Southwest National Bank	FDIC v. McLeod	H-88-4183	USDC S.D. TX Houston Div.
1	7600	TX	State Savings & Loan Association of Lubbock	FDIC v. Barker, et al.	CA5-87-061	USDC N.D. TX Lubbock Div.
6	7600	TX	State Savings & Loan Association of Lubbock	FDIC v. Trahan, et al.	CA5-87-061 (04)-C	USDC N.D. TX Lubbock Div.
7	7600	TX	State Savings & Loan Association of Lubbock	FSLIC v. Vineyard et al.	CA 3-88-130-G	USDC N.D. TX Dallas Div.
1	7601	TX	Sunbelt Savings Association of Texas	FDIC v. McBirney III, et al.	CA3-89-2295-R	
1	5866	TX	Texas Investment Bank	FDIC v. Dawson, et al.	90-1120	USDC S.D. TX
1	7561	TX	Vernon Savings & Loan Association	FSLIC v. Dixon	CA3-87-1102-G	USDC N.D. TX
1		TX	Western Bank	FDIC v. Balk, et al.	EP 90 CA96	USDC W.D. TX
1		TX	Western Savings Association	FDIC v. Carrico	CA3-90-0212-R	USDC N.D. TX
		TX	Western Savings Association	FDIC v. Davis, Horton, et al.	CA3-89-2155G	W.D. TX
1		TX	Western Savings Association	FDIC v. Ernst & Young	C 3-90-0490 H	USDC N.D. TX
1	2499	TX	Western State Bank of Denton,	FDIC v. Harris	5-88-153-CA	USDC E.D. TX
2	2499	TX	Western State Bank of Denton	FDIC v. Fidelity & Casualty Co. of N.Y.	S87-247-CA	USDC E.D. TX
1	2676	UT	Bank of Iron County	FDIC v. Woolsey	90-C-329W	USDC
3	2676	UT	Bank of Iron County	FDIC v. Tebbs, Smith & Assoc.	Civ. No. 85-0391	USDC Utah
1	2545	UT	Family Bank	FDIC v. James W. Brown	89-NC-0030-G	USDC Dist. of UT N.D.
8	2545	UT	Family Bank	FDIC v. St. Paul Fire & Marine Ins. Co.	89-C-1016-J	USDC Dist. of UT C.D.
7	6852	UT	Heritage Bank & Trust	FDIC v. John W. Lowe, Lowe & Arnold	90C-380W (filed under seal)	USDC Dist. of UT C.D.
1		UT	Mountainwest Savings and Loan Association	Mountainwest S&LA v. Blair Hadley, et al.	C88-04212	Third Judicial D. Ct. Salt Lake City, UT
1	7516	UT	State Savings & Loan Association	FDIC v. Oldenburg, et al.	C-85-1418W	USDC C.D. UT

Code	File	State	Bank	Suit	Docket No.	Court
2	7516	UT	State Savings & Loan Association	FDIC v. Oldenburg		USDC C.D. UT
8	7516	UT	State Savings & Loan Association	FDIC v. Oldenburg		USDC C.D. UT
4	3950	UT	Tracy Collins Bank & Trust	George Sutton v. FDIC	90-C-260-G	USDC Dist. of UT N.D.
1	2531	UT	Utah Firstbank	FDIC v. Paul	89-C-0065-G	USDC, Dist. of Utah C.D.
3		VA	Mountain Security Savings Bank	FDIC v. Armbrister, et al.	88-0081-R	USDC W.D. VA Roanoke Div.
1		WA	Mid-Valley Bank	FDIC v. Ferris	C-89-435-JLQ	USDC E.D. Washington
1		WI	American Bank	FDIC v. Kirchner, et al.	89-CV89	Cir. Ct. Buffalo County
1	6652	WY	American Bank of Casper	FDIC v. Daniel Sullivan	C89-0337	
1	6652	WY	American Bank of Casper	FDIC v. Herbert F. McCullen, et al.	C90-0016	
1		WY	American National Bank of Eastridge	FDIC v. Woodworth	C90-0015	
1		WY	American National Bank of Eastridge	FDIC v. Daniel Sullivan	XXC89-0338	
0	2482	WY	First National Bank of Glenrock	FDIC v. Bolton	C88-0206-K	USDC D. Wyoming
1		WY	Guaranty Federal Savings	FDIC v. Davis	CV	USDC Wyoming
1	2583	WY	Saratoga State Bank	FDIC v. McIlvaine	C88-0298J	USDC Dist. of Wyoming
1	6626	WY	Yellowstone State Bank	FDIC v. John T. Pappas (Attorney Malpractice)	24858	Dist. Ct. of Fremont City 9th Judicial Dist. (State Court)
1	6626	WY	Yellowstone State Bank	FDIC v. Vidakovich, et al.	No. 2535	Dist. Ct. for the Ninth Judicial Dist., County of Fremont
2	6626	WY	Yellowstone State Bank	FDIC v. U.S. Fidelity & Guaranty	25393	
7	6626	WY	Yellowstone State Bank	Home Ins. Co. & City Ins. Co. v. Pappas	C89-230J	

ATTACHMENT 5 (c)

JUNE 19, 1989

FSLIC AFFIRMATIVE CASES
[PENDING]

THRIFT: Acadia S&LA
THRIFT DOCKET #: 6173
FSLIC ATTORNEY: Kaplow/Gunning
CITY: Crowley
STATE: Louisiana
OUTSIDE COUNSEL: Chaffe, McCall

SUIT NAME: FSLIC. v. Edmund M. Reggie, et al.
SUIT DATE: 8/5/88
COURT: USDC, W.D. La, Lafayette, Opelousas Division
DOCKET NUMBER: CV88-2013
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Insider Abuse/Negligence
TRIAL DATE: Not set

THRIFT: Alliance FS&LA
THRIFT DOCKET #: 7831
FSLIC ATTORNEY: Kaplow/Burnette
CITY: Kenner
STATE: Louisiana
OUTSIDE COUNSEL: Montgomery, Barnett, Brown & Read

SUIT NAME: FSLIC v. Guy W. Olano, Jr. et al.
SUIT DATE: 1/31/86
COURT: USDC, ED of Louisiana
DOCKET NUMBER: 86-472 Section "H"
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE:

THRIFT: Alliance S&LA
THRIFT DOCKET#: 7802
FSLIC ATTORNEY: Andersen
CITY: Harris County, Houston
STATE: Texas
OUTSIDE COUNSEL: McCutchen, Black, Verleger, Shea

SUIT NAME: FSLIC v. James Howse, et al.
SUIT DATE:
COURT:
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE:

THRIFT: American Diversified S.B.
THRIFT DOCKET #: 7726
FSLIC ATTORNEY: Blair/Ribnick
CITY: Costa Mesa
STATE: California
OUTSIDE COUNSEL: Pettit & Martin

SUIT NAME: California Union Ins. Co. v. ADSB et al.
SUIT DATE:
COURT: USDC, C.D. Cal.
DOCKET NUMBER:
NATURE OF SUIT: Cross-claim of FSLIC et al. v. certain underwriters of Lloyds, London and Nat'l Union Fire Ins. Co.
NATURE OF CLAIM(S): Fidelity Bond Claim
TRIAL DATE:

SUIT NAME: FSLIC v. Lewis A. Habash, et al.
SUIT DATE: 11/9/88
COURT: N.D. Cal.
DOCKET NUMBER: C 88 4481 SAW
NATURE OF SUIT: Third party fraud with Sahni
NATURE OF CLAIM(S): Breach of Fiduciary Duty, Fraud, Negligent Misrepresentation aiding and abetting; money had and received; Breach of Contract
TRIAL DATE: Fall 1989

SUIT NAME: FSLIC et al. v. Sahni et al.
SUIT DATE: 2/19/86
COURT: USDC, C.D. Cal.
DOCKET NUMBER: 86-1075 RMT (GX)
NATURE OF SUIT: D&O suit
NATURE OF CLAIM(S): Breach of Fiduciary Duty; Imposition of Constructive Trust; Rescission & Restitution; Violation of Bank Board Regulations, Fraud; Fraudulent Conveyance; Accounting
TRIAL DATE: 10/89

SUIT NAME: FSLIC v. Sahni, et al. (Mission Heights)
SUIT DATE: 1/7/88
COURT: Superior Court, California, Oran County
DOCKET NUMBER: X145330
NATURE OF SUIT: D&O
NATURE OF CLAIM(S): Declaratory Relief, Constructive Trust, Quiet Title, Breach of Fiduciary Duty, Statutory Duty, Interference with Contractua relationship; Conversion; Accounting; Injunctive relief; Dissolution of partnership
TRIAL DATE:

SUIT NAME: FSLIC v. O'Melveny & Myers
SUIT DATE:
COURT: USDC, C.D. of California
DOCKET NUMBER: CV89-2877 TJH (KX)
NATURE OF SUIT: Attorney Malpractice
NATURE OF CLAIM(S): Prof. Neg./Neg. Misr. Breach of Fid. Duty/ Equitable Indemnity & Contrib.
TRIAL DATE:

THRIFT: American FS&LA
THRIFT DOCKET #: 1874
FSLIC ATTORNEY: Bombardier/Burnett
CITY: Anadarko
STATE: Oklahoma
OUTSIDE COUNSEL: Morrison, Hecker

SUIT NAME:
SUIT DATE:
COURT:
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE:

THRIFT: American S&LA
THRIFT DOCKET #: 1840
FSLIC ATTORNEY: Kaplow/Dimmick
CITY: Stockton
STATE: California
OUTSIDE COUNSEL: Graham & James

SUIT NAME: Sunkist Services v. Mutual Fire Marine & Inland Ins. Co.
SUIT DATE:
COURT: Sup. Ct. of Cal. for Co. of LA
DOCKET NUMBER: C 6140 295
NATURE OF SUIT:
NATURE OF CLAIM(S): Fidelity Bond Claim
TRIAL DATE:

THRIFT: Audubon FS&L
THRIFT DOCKET #: 7574
FSLIC ATTORNEY: Beaty/Gill
CITY: New Orleans
STATE: Louisiana
OUTSIDE COUNSEL: Little & Metzger

SUIT NAME: FSLIC v. Robert B. Sutherlin et al.
SUIT DATE: 3/[illegible]/86
COURT: E.D. Louisiana (Section K)
DOCKET NUMBER: 86-1[illegible]
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse/Negligence Excessive Legal Fees, RICO
TRIAL DATE: Not set

THRIFT: Bell Savings Bank
THRIFT DOCKET #: 6597
FSLIC ATTORNEY: Beaty/Jones
CITY: Temple
STATE: Texas
OUTSIDE COUNSEL:

SUIT NAME: FSLIC as Rec. v Hahhakh-raigh, et al.
SUIT DATE: 9/20/87
COURT: USDC, N.D. of Texas
DOCKET NUMBER: 87-8384-D
NATURE OF SUIT:
NATURE OF CLAIM(S): Negligence/Other (Constr. Defects)
TRIAL DATE: 1990

THRIFT: Bell S&LA
THRIFT DOCKET #: 01693
FSLIC ATTORNEY: Eisenstein/Rosenak
CITY: San Mateo
STATE: California
OUTSIDE COUNSEL: Cooley, Godward, Castro (Dan Johnson)

SUIT NAME: Kirkbride v. CNA
SUIT DATE:
COURT: Calif. - San Mateo City/N.D. Cal. (removal)
DOCKET NUMBER:
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Other
Dec. action against D&O carrier-FSLIC is third party defendant
TRIAL DATE: Not set

SUIT NAME: FSLIC - Corp. v. Butler et al.
SUIT DATE:
COURT: N.D. Cal.
DOCKET NUMBER: C-85-3845 SC
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse/Negligence
TRIAL DATE: Not set

OUTSIDE COUNSEL: Tuttle & Taylor (Gene Comey)
SUIT NAME: FSLIC - Corp. v. Butler
SUIT DATE: 9/5/88
COURT: 9th Cir.
DOCKET NUMBER:
NATURE OF SUIT: Liability/Other Interlocutory Appeal of ruling by Judge Conti on good faith settlement
NATURE OF CLAIM(S): Fraud/Insider Abuse/Negligence
TRIAL DATE: Not set

THRIFT: Beverly Hills S&LA
THRIFT DOCKET #: 8275
FSLIC ATTORNEY: Eisenstein/Rosenak
CITY: Mission Viejo
STATE: California
OUTSIDE COUNSEL: Tuttle & Taylor

SUIT NAME: American Casualty Co. v. Rousso
SUIT DATE:
COURT: USDC, C.D. Cal.
DOCKET NUMBER: CV87-1767
NATURE OF SUIT: Coverage
NATURE OF CLAIM(S): Bad Faith
TRIAL DATE:

SUIT NAME: FSLIC v. American Casualty
SUIT DATE:
COURT: USDC, C.D. Cal.
DOCKET NUMBER: SACV88-605-JSL(RWR); Ca. Sup. Ct. La, C702159
NATURE OF SUIT: Coverage
NATURE OF CLAIM(S):
TRIAL DATE:

SUIT NAME: FSLIC v. Fitzpatrick
SUIT DATE:
COURT: USDC, C.D. Cal.
DOCKET NUMBER: CV86-6780
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence
TRIAL DATE:

SUIT NAME: FSLIC v. Fitzpatrick
SUIT DATE:
COURT: USDC, C.D. Cal.
DOCKET NUMBER: CV88-0651
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence
TRIAL DATE:

SUIT NAME: FSLIC v. Landauer
SUIT DATE:
COURT: USDC, C.D. Cal.
DOCKET NUMBER: 88-02262
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence
TRIAL DATE:

SUIT NAME: S.C. Murdock Assoc. v. Fitzpatrick
SUIT DATE:
COURT: Ca. Sup. Ct., La
DOCKET NUMBER: C58-2474
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE:

SUIT NAME: In Re Beverly Hills S&L Sec. Lit.
SUIT DATE:
COURT: USDC, C.D. Cal.
DOCKET NUMBER: C585-2702
NATURE OF SUIT: Stockholder
NATURE OF CLAIM(S): Fraud/Negligence
TRIAL DATE:

THRIFT: Bloomfield S&LA
THRIFT DOCKET #: 7902
FSLIC ATTORNEY: Beaty/Hendriksen
CITY: Detroit
STATE: Michigan
OUTSIDE COUNSEL: Hill, Adams, Goodrich & Tait

SUIT NAME: FSLIC v. Dykema, Gosset
SUIT DATE: 4/21/88
(FSLIC was substituted in w/in 30 days and case was removed to protect our options)
COURT: E.D. Michigan
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S): Legal Malpractice
TRIAL DATE: Not set

THRIFT: Bluebonnet S&L
THRIFT DOCKET #:
FSLIC ATTORNEY: Eisenstein/Hammock
CITY: Austin
STATE: Texas
OUTSIDE COUNSEL:

SUIT NAME: Bluebonnet (FSLIC) v. Landmark, et a
SUIT DATE: 1986
COURT: S.D. Texas
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S): Fraud/Insider Abuse
TRIAL DATE:

THRIFT: Bohemian S&L
THRIFT DOCKET #: 08079
FSLIC ATTORNEY: Eisenstein/McClellan
CITY: St. Louis
STATE: Missouri
OUTSIDE COUNSEL: Morrison, Hecker (John Owen)

SUIT NAME: FSLIC v. John v. Capozzi, et al.
SUIT DATE: 1/30/86
COURT: USDC, E.D. Mo., (Eastern Division)
DOCKET NUMBER: 86-0233-C-5
NATURE OF SUIT: Other/Directors & Officers Shareholders
NATURE OF CLAIM(S): Fraud/Negligence/Other Breach of Fiduciary Duty
TRIAL DATE: Not set

THRIFT: Brownfield S&LA
THRIFT DOCKET #: 5473
FSLIC ATTORNEY: Lauer/Hindes
CITY: Brownfield
STATE: Texas
OUTSIDE COUNSEL: Hutcheson & Grundy/Whittenburg, Whittenburg & Schachter

SUIT NAME: FSLIC v. Vineyard, et al. (This suit arises out of both, Brownfield & State S&LA of Lubbock,
SUIT DATE: 6/87
COURT: USDC, N.D. Texas (Dallas Division)
DOCKET NUMBER: CA5-87-124
NATURE OF SUIT: Liability/Other/Attorney Malpractice
NATURE OF CLAIM(S): Fraud/Negligence
TRIAL DATE: 9/90

THRIFT: Butterfield Savings & Loan Association
THRIFT DOCKET #: 7478
FSLIC ATTORNEY: McGuire/Palau
CITY: Costa Mesa
STATE: California
OUTSIDE COUNSEL: Pettit & Martin

SUIT NAME: FSLIC v. Safley, et al.
SUIT DATE: 9/10/86
COURT: USDC, C.D. Cal.
DOCKET NUMBER: 86-3812 AHS (Gx)
NATURE OF SUIT: Other
NATURE OF CLAIM(S): Fraud/Negligence
TRIAL DATE: 6/20/89 (nearly settled)

THRIFT: Capitol Federal Savings Bank
THRIFT DOCKET #: 8288 (Previous 4345)
FSLIC ATTORNEY: Kaplow/Powalski
CITY: Mt. Pleasant
STATE: Iowa
OUTSIDE COUNSEL: Hopkins & Sutter

SUIT NAME: Capitol Fed. Sav. Bank v. McCuen
SUIT DATE: 1/6/87
COURT: Fed. Dist. Ct. of So. Iowa (Eastern Division)
DOCKET NUMBER: 87-92-D-2
NATURE OF SUIT: Stockholder
NATURE OF CLAIM(S): Negligence
TRIAL DATE: Not set

THRIFT: Cardinal FSB
THRIFT DOCKET #: 1917
FSLIC ATTORNEY: Flake/Kessler
CITY: Cleveland
STATE: Ohio
OUTSIDE COUNSEL:

SUIT NAME: FSLIC v. Quinn, et al.
SUIT DATE: 1/18/89
COURT: N.D. Ohio
DOCKET NUMBER: 89-CV-0098
NATURE OF SUIT: Other (Declaration & Injunction Relief re Severance Benefits)
NATURE OF CLAIM(S): Other
TRIAL DATE: 2/15/89

THRIFT: Centennial Savings and Loan
THRIFT DOCKET #: 8234
FSLIC ATTORNEY: Beaty/Jones
CITY: Gurneville/Santa Rosa
STATE: California
OUTSIDE COUNSEL:

SUIT NAME: FSLIC v. Harter
SUIT DATE: 8/18/88
COURT:
DOCKET NUMBER: C88-3459-RHS
NATURE OF SUIT: Accountants
NATURE OF CLAIM(S): Negligence
TRIAL DATE: Unknown

SUIT NAME: FSLIC v. Shah et al.
SUIT DATE: 4/87
COURT: USDC, N.D. of Cal.
DOCKET NUMBER: 87-1197-RHS
NATURE OF SUIT: D&O
NATURE OF CLAIM(S): Insider Abuse
TRIAL DATE: Unknown - still in discovery

THRIFT: Citizens S&LA
THRIFT DOCKET #: 7470
FSLIC ATTORNEY: Lauer/Robb
CITY: Salem
STATE: Oregon
OUTSIDE COUNSEL: Miller, Nash, Wiener, Hager & Carlsen

SUIT NAME: FSLIC v. Gerald S. Rawlins, et al.
SUIT DATE: 5/8/87
COURT: USDC, Oregon
DOCKET NUMBER: 86-504-JU/87-64-JU
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence
TRIAL DATE: Unknown

SUIT NAME: FSLIC v. American Casualty Co. of Reading, Pennsylvania
SUIT DATE: 12/14/88
COURT: USDC, Oregon
DOCKET NUMBER: 88-1430-JU
NATURE OF SUIT: Liability/Coverage
NATURE OF CLAIM(S): Fraud/Insider Abuse
TRIAL DATE: Unknown

THRIFT: Columbus S&LA
THRIFT DOCKET #: 7623
FSLIC ATTORNEY: Lauer/Gabrellian
CITY: San Rafael
STATE: California
OUTSIDE COUNSEL: Graham & James

SUIT NAME: FSLIC v. Fidelity Deposit Co.
SUIT DATE: 9/8/87
COURT: USDC, N.D. Calif.
DOCKET NUMBER: C-87-4675-SL
NATURE OF SUIT: Coverage
NATURE OF CLAIM(S): Other (Breach of Contract; Breach of Duty of Good Faith & Fair Dealing; Unfair Insurance Practices re: Denial of Coverage)

SUIT NAME: FSLIC v. Musacchio, et al.
SUIT DATE: 11/28/86
COURT: USDC, N.D. Calif.
DOCKET NUMBER: C-86-2439-CAL
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse/Negligence
TRIAL DATE: Not set

THRIFT: Commodore Savings
THRIFT DOCKET #: 3118
FSLIC ATTORNEY: Eisenstein/McClellan
CITY: Dallas
STATE: Texas
OUTSIDE COUNSEL: Gardere & Wynne (Douglas Adkins)

SUIT NAME: Commodore Sav. Assoc. v. Trident Finance Corp., et al.
SUIT DATE: 9/12/88
COURT: USDC, N.D. Texas (Dallas Division)
DOCKET NUMBER: CA3-88-2164-G
NATURE OF SUIT: Other/Appraisers
NATURE OF CLAIM(S): Fraud/Negligence
TRIAL DATE:

THRIFT: Consolidated Savings Bank
THRIFT DOCKET #: 7987
FSLIC ATTORNEY: Lauer/Lauer
CITY: Irvine
STATE: California
OUTSIDE COUNSEL: Graham & James

SUIT NAME: FSLIC v. Ferrante, et al.
SUIT DATE: 5/86
COURT: USDC, C.D. Calif.
DOCKET NUMBER: CV-86-3332 MRP
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse/Negligence
TRIAL DATE: Not set

FSLIC ATTORNEY: Charles McDonald coordinating Bazarian claims
OUTSIDE COUNSEL: (Leonard, Marsh, Hurt, & Terry of Dallas, - Coordinating counsel for Bazarian claim

SUIT NAME: In Re Bazarian, FSLIC as Rec for Consolidated v. Bazarian
SUIT DATE: May 1987
COURT: U.S. Bankruptcy Court for WD Oklahoma
DOCKET NUMBER: 87-3927/88-0108 Adversary No.
NATURE OF SUIT: Placed into involuntary bankruptcy by various S&Ls and Receivers. Claims against estate, objection to bankruptcy discharge.
NATURE OF CLAIM(S): Fraud as Borrower and insider of various S&Ls
TRIAL DATE: Not set

THRIFT: Coronado FS&LA
THRIFT DOCKET #: 7296
FSLIC ATTORNEY: Beaty/Berkley
CITY: Kansas City
STATE: Kansas
OUTSIDE COUNSEL:

SUIT NAME: FDIC & FSLIC v. Mario Randa, et al.
SUIT DATE:
COURT: USDC, D. Kansas
DOCKET NUMBER: 85-2216
NATURE OF SUIT:
NATURE OF CLAIM(S): RICO
TRIAL DATE:

THRIFT: County Federal
THRIFT DOCKET #: 6044
FSLIC ATTORNEY: Eisenstein/Hammock
CITY: Baltimore/Rockville
STATE: Maryland
OUTSIDE COUNSEL: Thompson, Coe (Dallas)

SUIT NAME: FSLIC v. Williams (Partially settled)
SUIT DATE:
COURT: District of Maryland
DOCKET NUMBER: 4-83-1422
NATURE OF SUIT:
NATURE OF CLAIM(S): Fraud/Insider Abuse/Negligence/Other
TRIAL DATE:

THRIFT: Eastern Washington S&LA
THRIFT DOCKET #: 7879
FSLIC ATTORNEY: Bombardier/Holzman
CITY: E. Wenatchee
STATE: Washington
OUTSIDE COUNSEL: Witherspoon, Kelley, Davenport & Toole

SUIT NAME: FSLIC v. Cornell
SUIT DATE: 7/12/88
COURT: E.D. Wash.
DOCKET NUMBER: C-89-019-AAM
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse
TRIAL DATE: Not set

THRIFT: Empire S&LA
THRIFT DOCKET #:
FSLIC ATTORNEY: Blair/North
CITY: Mesquite
STATE: Texas
OUTSIDE COUNSEL: Hutcheson & Grundy

SUIT NAME: FSLIC as Receiver v. D.L. Faulkner, et al.
SUIT DATE: 3/86
COURT: USDC, N.D. Texas, Dallas Division
DOCKET NUMBER: CA3-85-2360-T
NATURE OF SUIT: RICO
NATURE OF CLAIM(S): RICO, Fraud, Negligence, etc.
TRIAL DATE: Discovery stayed pending completion of criminal trial

SUIT NAME: FSLIC v. U.S. Fire Insurance Corp.
SUIT DATE: 1/12/84
COURT: USDC, N.D. of Texas, Dallas Division
DOCKET NUMBER: CA3-84-0442-F
NATURE OF SUIT: Bond claim
NATURE OF CLAIM(S): Dishonest acts
TRIAL DATE: Not Set/ Disc,. nearing completion

THRIFT: Eureka FS&LA
THRIFT DOCKET #: 2268
FSLIC ATTORNEY: Lauer/Gabrellian
CITY: San Carlos
STATE: California
OUTSIDE COUNSEL: Jackson, Tufts, Cole & Black

SUIT NAME: FSLIC v. Kidwell, et al.
SUIT DATE: 3/14/86
COURT: USDC, N.D. Calif.
DOCKET NUMBER: C-86-1245-WHO
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence
TRIAL DATE: 9/11/89

SUIT NAME: Eureka FS&LA v. American Casualty Co
SUIT DATE: 7/6/87
COURT: 9th Cir. Court of Appeals
DOCKET NUMBER: 88-1723
NATURE OF SUIT: Coverage
NATURE OF CLAIM(S): Other (D&O Insurance Coverage) (Am. Casualty's approval from judgment establishing coverage under policy of $20 million/ Officer-Director/Occurrence)
TRIAL DATE: 2/16/89 (Hearing Date)

THRIFT: Farmers Savings Bank
THRIFT DOCKET #: 7765
FSLIC ATTORNEY: Sobol/Bombardier
CITY: Davis
STATE: California
OUTSIDE COUNSEL: Pettit & Martin

SUIT NAME: FSLIC v. Anders, et al.
SUIT DATE: 3/20/87
COURT: E.D. California
DOCKET NUMBER: CIVS-87-0430 EJG-EM
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse/Negligence
TRIAL DATE: Not set

THRIFT: Fidelity Federal S&LA
THRIFT DOCKET #: 1556
FSLIC ATTORNEY: Kaplow/Roach
CITY: Baltimore
STATE: Maryland
OUTSIDE COUNSEL: Squire Sanders & Dempsey

SUIT NAME: FSLIC v. Heidrick, et al.
SUIT DATE: 1/7/86
COURT: USDC, District of Maryland
DOCKET NUMBER: CA HM 86-77
NATURE OF SUIT: Coverage
NATURE OF CLAIM(S):
TRIAL DATE: Not set

THRIFT: First Federal of Grand Forks
THRIFT DOCKET #: 0546
FSLIC ATTORNEY: Eisenstein/Mittelman
CITY: Grand Forks
STATE: North Dakota
OUTSIDE COUNSEL: Popham, Haik (Wayne Popham)

SUIT NAME: FSLIC v. Karen Braaten
SUIT DATE:

COURT:
DOCKET NUMBER:
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Other/Attorney Malpractice
TRIAL DATE:

SUIT NAME: FSLIC v. Peterson & Dunlevy
SUIT DATE: 6/30/86
COURT: D. North Dakota
DOCKET NUMBER: A2-86-104
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Insider Abuse
TRIAL DATE: Not set

THRIFT: First Federal of Maryland
THRIFT DOCKET #: 4144
FSLIC ATTORNEY: Bombardier
CITY: Hagerstown
STATE: Maryland
OUTSIDE COUNSEL: Squire, Sanders & Dempsey

SUIT NAME: FSLIC v. Roy et al.
SUIT DATE: 5/14/87
COURT: Dist. Ct. of Maryland
DOCKET NUMBER: JFM-87-1227
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence
TRIAL DATE: 11/6/89 (likely to change)

SUIT NAME: FSLIC v. John Child & Co., Inc.
SUIT DATE: 12/5/88
COURT: USDC, Hawaii
DOCKET NUMBER: CV-88-00873 HMF
NATURE OF SUIT: Real Estate Appraiser Liab. Suit
NATURE OF CLAIM(S): Negligence, Misrepresentation
TRIAL DATE: Not yet set

THRIFT: First FS&LA (Beloit)
THRIFT DOCKET #: 0945
FSLIC ATTORNEY: Kaplow/Gunning
CITY: Beloit
STATE: Kansas
OUTSIDE COUNSEL: Morrison, Hecker

SUIT NAME: FSLIC v. Neil Niewald, et al.
SUIT DATE: 5/2/85
COURT: USDC, D. Kansas
DOCKET NUMBER: 85-4168-R
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse
TRIAL DATE: Not set

THRIFT: First FS&LA of Freeport
THRIFT DOCKET #: 2831
FSLIC ATTORNEY: Kaplow/Gowran
CITY: Freeport
STATE: Illinois
OUTSIDE COUNSEL: Pretzel & Stouffer

SUIT NAME:
SUIT DATE:
COURT:
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE:

THRIFT: First FS&LA (Shawnee)
THRIFT DOCKET #: 1628
FSLIC ATTORNEY: Beaty/Berkley
CITY: Shawnee
STATE: Oklahoma
OUTSIDE COUNSEL: Popham, Haik, Schnobrich & Kaufman, Ltd.

FSLIC ATTORNEY: Charles McDonald coordinating Bazarian claims
OUTSIDE COUNSEL: (Leonard, Marsh, Hurt, & Terry of Dallas, TX Coordinating counsel for Bazarian claims)
SUIT NAME: In Re Bazarian, FSLIC as Rec for First Federal of Shawnee v. Bazarian
SUIT DATE: May 1987
COURT: U.S. Bankruptcy Court for WD Oklahoma
DOCKET NUMBER: 87-3927
NATURE OF SUIT: Placed into involuntary bankruptcy by various S&Ls and Receivers. Claims against estate.
NATURE OF CLAIM(S): Objection to discharge, only claim in estate
TRIAL DATE: Not set

SUIT NAME: Freedom Savings & Loan Assoc. v. First Federal Sav. & Loan Assoc. of Shawnee v. Ridgewood Partners, Inc.
SUIT DATE: 5/4/87
COURT: USDC, W.D. Okla.
DOCKET NUMBER: CIV-87-912-R
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Breach of Contract/RICO/ Accountant Malpractice
TRIAL DATE:

SUIT NAME: FSLIC v. Finley
SUIT DATE: 7/24/87
COURT: USDC, W.D. Okla.
DOCKET NUMBER: CIV-88-780-A
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence
TRIAL DATE:

THRIFT: First Financial S&LA
THRIFT DOCKET #: 5830
FSLIC ATTORNEY: Kaplow/Kaplow
CITY: Downers Grove
STATE: Illinois
OUTSIDE COUNSEL: Hopkins & Sutter

SUIT NAME: FSLIC v. James Elliott, William Powers, Paul Olson, and Harold Tickten
SUIT DATE: 3/15/83
COURT: N.D. Ill.
DOCKET NUMBER: 83C 1803
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse
TRIAL DATE: Not set

SUIT NAME: FSLIC v. William Powers, Donald Leaser, American Mortgage Capital and John Butler Motors
SUIT DATE: 4/28/83
COURT: N.D. Ill.
DOCKET NUMBER: 83C 2937
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Other/RICO
TRIAL DATE: Not set

THRIFT: First Security Savings Bank
THRIFT DOCKET#: 7581
FSLIC ATTORNEY: McGuire/Terrell
CITY: Pleasant Hill
STATE: California
OUTSIDE COUNSEL:

SUIT NAME: FSLIC v. Thomas Day
SUIT DATE:
COURT:
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE:

THRIFT: FirstSouth, FA
THRIFT DOCKET #: 12/4/86
FSLIC ATTORNEY: Beaty/Valdez
CITY: Pine Bluffs
STATE: Arkansas
OUTSIDE COUNSEL: Hopkins & Sutter

SUIT NAME: FSLIC v. Watson, Taylor III, et al.
SUIT DATE: 11/10/87
COURT: E.D. Arkansas (Western Division)
DOCKET NUMBER: LRC 87-806
NATURE OF SUIT: Stockholder
NATURE OF CLAIM(S): Fraud
TRIAL DATE: 3/27/89

SUIT NAME: FSLIC v. Wiechern, et al.
SUIT DATE: 5/8/87
COURT: E.D. Arkansas (Western Division)
DOCKET NUMBER: LRC-87-302
NATURE OF SUIT:
NATURE OF CLAIM(S): Fraud/Insider Abuse
Breach of Fiduciary Duty
TRIAL DATE: 5/29/89 (Jury Trial)

SUIT NAME: American Casualty Co. v. FSLIC
SUIT DATE:
COURT: E.D. Arkansas (Western Division)
DOCKET NUMBER: LR-C-88-597
NATURE OF SUIT: Liability/Coverage
NATURE OF CLAIM(S):
TRIAL DATE: 2/6/89
Appeal filed in 8th Cir.

THRIFT: Flushing FS&LA
THRIFT DOCKET #: 1726
FSLIC ATTORNEY: Lauer/Robb
CITY: Flushing
STATE: New York
OUTSIDE COUNSEL: Dewey, Ballantine, Bushby, Palmer & Wood

SUIT NAME: FSLIC v. Cardascia, et al.
SUIT DATE: 1/5/87
COURT: E.D.N.Y.
DOCKET NUMBER: 87CIV-0002(JBW)
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence
TRIAL DATE: 3/89

SUIT NAME: FSLIC v. The North River Insurance Co., et al.
SUIT DATE: 2/24/87
COURT: E.D.N.Y.
DOCKET NUMBER: 87CIV-0543 (JBW)
NATURE OF SUIT: Coverage
NATURE OF CLAIM(S): Other
TRIAL DATE: 1989

SUIT NAME: Flushing Fed. Sav. & Loan Assoc. v. The Aetna Casualty and Surety Co.
SUIT DATE: 4/24/86
COURT: E.D.N.Y.
DOCKET NUMBER: 86CIV-1325 (JBW)
NATURE OF SUIT: Liability/Coverage
NATURE OF CLAIM(S): Fraud
TRIAL DATE: 3/89

THRIFT: Gateway Savings Bank
THRIFT DOCKET #: 7799
FSLIC ATTORNEY: Flake/Igo
CITY: San Francisco
STATE: California
OUTSIDE COUNSEL:

SUIT NAME: FSLIC v. Gon
SUIT DATE: May 1987
COURT: USDC, ND California
DOCKET NUMBER: 87-2116
NATURE OF SUIT: D&O suit/damages
NATURE OF CLAIM(S): Negligence and Fraud claims
TRIAL DATE:

THRIFT: Glen Ellyn S&LA
THRIFT DOCKET #: 6110
FSLIC ATTORNEY: Flake/Kessler
CITY: Glen Ellyn
STATE: Illinois
OUTSIDE COUNSEL:

SUIT NAME: FSLIC v. Transamerica Ins. Co.
SUIT DATE: 8/7/87
COURT: N.D. Ill.
DOCKET NUMBER: 87-C-6996
NATURE OF SUIT: Coverage/Bond
NATURE OF CLAIM(S): Fraud
TRIAL DATE: Not set

THRIFT: Golden Pacific
THRIFT DOCKET #: 8000
FSLIC ATTORNEY: Blair/Manuel
CITY: Santa Rosa
STATE: California
OUTSIDE COUNSEL: Cooley, Godward, Castro (San Francisco, CA)

SUIT NAME: FSLIC v. Soderling, et al.
SUIT DATE: 2/88
COURT: USDC, N.D. of Cal.
DOCKET NUMBER: C-88-0401 RFP
NATURE OF SUIT: D&O liability,
NATURE OF CLAIM(S): Fraud, Negligence, Business torts, etc.
TRIAL DATE:

THRIFT: Guaranty Federal Savings Bank
THRIFT DOCKET #: 3820
FSLIC ATTORNEY: Feinstein/McGuire
CITY: Casper
STATE: Wyoming
OUTSIDE COUNSEL: Gorsuch, Kirgis, Campbell, Walker & Grover

SUIT NAME: FSLIC as Receiver for Guaranty v. Burke, et al.
SUIT DATE: 9/4/87
COURT: USDC, Cheyenne, Wyoming
DOCKET NUMBER: CV 87-0312-J
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE: Not set

THRIFT: Guaranty FS&LA
THRIFT DOCKET #: 8068
FSLIC ATTORNEY: Eisenstein/Hammock
CITY: Dallas
STATE: Texas
OUTSIDE COUNSEL: Rose, Banks (Houston)

SUIT NAME: GFSLA v. Cheng, Heath, et al.
SUIT DATE: 9/27/88
COURT: N.D. Texas
DOCKET NUMBER:
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse
TRIAL DATE: Not set

THRIFT: Guaranty S&LA
THRIFT DOCKET #: 06730
FSLIC ATTORNEY: McGillicuddy
CITY: Harrison
STATE: Arkansas
OUTSIDE COUNSEL: The Rose Law Firm & Damon, Key Char & Bocken

SUIT NAME: FSLIC as Receiver of Guaranty v. John Child & Co.
SUIT DATE: 12/88
COURT: USDC, Hawaii
DOCKET NUMBER: CV 88-00873 HMF
NATURE OF SUIT: Liability (Real Estate Appraiser)
NATURE OF CLAIM(S): Negligence, Misrepresentation
TRIAL DATE: Not set

THRIFT: Gulf Federal S&LA
THRIFT DOCKET #: 8357
FSLIC ATTORNEY: Eisenstein/Chess
CITY: Metairie
STATE: Louisiana
OUTSIDE COUNSEL: Stone, Pigmen, Walther, Wittmann & Hutchinson
Squire, Sanders & Dempsey (D.C.)

SUIT NAME: FSLIC v. Mmahat, et al.
SUIT DATE: 11/21/86
COURT: E.D. La.
DOCKET NUMBER: 86-5160
NATURE OF SUIT: Liability/Coverage
NATURE OF CLAIM(S): Insider Abuse/Negligence
TRIAL DATE: 11/16/88
Appeals filed

THRIFT: Hi Plains S&L
THRIFT DOCKET #: 8270
FSLIC ATTORNEY: Blair/Ribnick
CITY: Hereford
STATE: Texas
OUTSIDE COUNSEL: Hutcheson & Grundy

SUIT NAME: FSLIC v. Welker
SUIT DATE: 11/20/87
COURT: N.D. of Texas
DOCKET NUMBER: CA-2-870239
NATURE OF SUIT: D&O, Attorney Malpractice, Appraisal Malpractice
NATURE OF CLAIM(S): Breach of Contractual & Statutory duties; Negligence, Civil Conspiracy; Intentionally causing or assisting D&O to breach their Contractual & Statutory duties, Professional negligence against Attorney Gullart, and Appraiser negligence); Rescission; Accounting; Restitution of money had and received; Fraudulent Transfer
TRIAL DATE:

THRIFT: Home Federal S&LA
THRIFT DOCKET #: 7260
FSLIC ATTORNEY: Flake/Osterman
CITY: San Juan
STATE: Puerto Rico
OUTSIDE COUNSEL: Boneta & Peral

SUIT NAME: FSLIC v. Shearson, et al.
SUIT DATE: 12/10/85
COURT: USDC, Puerto Rico
DOCKET NUMBER:
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud
TRIAL DATE:

THRIFT: Home Savings & Loan Association
THRIFT DOCKET #: 5393
FSLIC ATTORNEY: Feinstein
CITY: Seattle
STATE: Washington
OUTSIDE COUNSEL: Perkins Coie (Marc Boman)

SUIT NAME: FSLIC v. Gray
SUIT DATE: 7/22/87
COURT: USDC - S.D. Wash.
DOCKET NUMBER: C87-1000R
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence
TRIAL DATE: No current date: Pending Summary Judgment Motion on Coverage

SUIT NAME: Branning v. CNA Ins. Co.
SUIT DATE: 6/14/88
COURT: USDC - W.D. Wash.
DOCKET NUMBER: C88-764R
NATURE OF SUIT: Coverage
NATURE OF CLAIM(S): Negligence
TRIAL DATE: 7/17/89 (Summary Judgment Pending)

SUIT NAME: FSLIC v. Jerome McCuin
SUIT DATE:
COURT:
DOCKET NUMBER: C85-1428
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE:

THRIFT: Home S&LA, FA
THRIFT DOCKET #: 01428
FSLIC ATTORNEY: Flake/Sarshik
CITY: Bartlesville
STATE: Oklahoma
OUTSIDE COUNSEL: Hall, Estill, Hardwick, Gable, Golden & Nelson (Being handled directly by subcontractor firm - Ames, Ashabranner, Taylor, Lawrence, Laudick & Morgan)

SUIT NAME: FSLIC v. Donald P. Ferguson, et al.
SUIT DATE: 10/16/85
COURT: W.D. Oklahoma
DOCKET NUMBER: CIV-88-1685A
NATURE OF SUIT:
NATURE OF CLAIM(S): Negligence
TRIAL DATE: 10/89 (no specific date)

SUIT NAME: FSLIC v. Kansas City Fire & Marine Co., et al.
SUIT DATE: 6/2/87
COURT: W.D. Oklahoma
DOCKET NUMBER: CIV-87-1103
NATURE OF SUIT: Coverage
NATURE OF CLAIM(S):
TRIAL DATE: 4/89 (no specific date - however, dismissal of the case is imminently expected due to settlement agreement that is in the process being executed)

THRIFT: Homestead S&LA
THRIFT DOCKET #: 1778
FSLIC ATTORNEY: Igo
CITY: Woodward
STATE: Oklahoma
OUTSIDE COUNSEL: Jones, Waldo, Holbrook & McDonough

SUIT NAME: FSLIC v. Provo Excelsior
SUIT DATE: 1986 (prior to October)
COURT: USDC, WD of Oklahoma
DOCKET NUMBER: MDL 718
NATURE OF SUIT: Money damages
NATURE OF CLAIM(S): Malpratice/Misrepresentation claims
TRIAL DATE: May 22, 1989

FSLIC ATTORNEY: Charles McDonald coordinating Bazarian claims
OUTSIDE COUNSEL: (Leonard, Marsh, Hurt, & Terry of Dallas, - Coordinating counsel for Bazarian claim
SUIT NAME: In Re Bazarian, FSLIC as Rec for Homestead v. Bazarian
SUIT DATE: May 1987
COURT: U.S. Bankruptcy Court for WD Oklahoma
DOCKET NUMBER: 87-3927
NATURE OF SUIT: Placed into involuntary bankruptcy by various S&Ls and Receivers. Claims against estate.

NATURE OF CLAIM(S): Objection to discharge, only claim in estate
TRIAL DATE: Not set

THRIFT: Independent American Savings Association
THRIFT DOCKET #: 8413
FSLIC ATTORNEY: Bombardier/Holzman
CITY: Irving
STATE: Texas
OUTSIDE COUNSEL: Baker & Botts

SUIT NAME: FSLIC v. Crowe
SUIT DATE: 12/29/86
COURT: N.D. Tex.
DOCKET NUMBER: CA3-86-3166-T
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse
TRIAL DATE: Not set

THRIFT: Intercapital Savings Bank
THRIFT DOCKET #: 8010
FSLIC ATTORNEY: Roach
CITY: Jacksonville Beach
STATE: Florida
OUTSIDE COUNSEL: Commander Legler

SUIT NAME: FSLIC as Rec. Intercapital v. Blake
SUIT DATE:
COURT: USDC, S.D. Fla.
DOCKET NUMBER: 88-0828-CIV-EPS
NATURE OF SUIT:
NATURE OF CLAIM(S): Appraiser Negligence
TRIAL DATE:

SUIT NAME: FSLIC as Rec. Intercapital v. Dreyer & Traub
SUIT DATE:
COURT: USDC, M.D. Fla.
DOCKET NUMBER: 88-279-CIV-J-16
NATURE OF SUIT:
NATURE OF CLAIM(S): Attorney Malpractice
TRIAL DATE:

SUIT NAME: FSLIC as Rec. Intercapital v. Fidelity & Deposit of Maryland
SUIT DATE:
COURT: USDC, M.D. Fla.
DOCKET NUMBER: 88-528-CIV-J-16
NATURE OF SUIT:
NATURE OF CLAIM(S): Fidelity Bond Claims
TRIAL DATE:

SUIT NAME: FSLIC as Rec. Intercapital v. Norton, et al.
SUIT DATE:
COURT: USDC, S.D.N.Y.
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S): Breach of Fiduciary duties, Fraud & Negligence
TRIAL DATE: Not set

THRIFT: Investors FS&LA
THRIFT DOCKET #: 4133
FSLIC ATTORNEY: Blair/Whitaker
CITY: El Reno
STATE: Oklahoma
OUTSIDE COUNSEL: Hall, Estell

FSLIC ATTORNEY: Charles McDonald coordinating Bazarian claims
OUTSIDE COUNSEL: (Leonard, Marsh, Hurt, & Terry of Dallas, - Coordinating counsel for Bazarian claim
SUIT NAME: In Re Bazarian, FSLIC as Rec for Investor v. Bazarian
SUIT DATE: May 1987
COURT: U.S. Bankruptcy Court for WD Oklahoma
DOCKET NUMBER: 87-3927/88-0352 Adversary No.
NATURE OF SUIT: Placed into involuntary bankruptcy by various S&Ls and Receivers. Claims against estate, objection to bankruptcy discharge.
NATURE OF CLAIM(S): Fraud as Borrower and insider of various S&Ls
TRIAL DATE: Not set

THRIFT: Irving Savings Association
THRIFT DOCKET #: 5490
FSLIC ATTORNEY: Flake/~~Kessler~~ Robinson
CITY: Irving
STATE: Texas
OUTSIDE COUNSEL:

SUIT NAME: FSLIC v. Melcher, et al.
SUIT DATE: 9/12/85
COURT: N.D. Tex.
DOCKET NUMBER: 3-85-1817-F
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence
TRIAL DATE: Not set

SUIT NAME: FSLIC v. U.S. Fire Insurance Co.
SUIT DATE: 12/10/87
COURT: N.D. Texas
DOCKET NUMBER: 3-87-2923-J
NATURE OF SUIT: Coverage/Bond
NATURE OF CLAIM(S): Fraud
TRIAL DATE: Not set

THRIFT: John Sevier S&LA
THRIFT DOCKET #: 7650
FSLIC ATTORNEY: Kaplow/Roach
CITY: Sevierville
STATE: Tennessee
OUTSIDE COUNSEL: Hopkins & Sutter/Jenkins & Jenkins

SUIT NAME: FSLIC v. Aetna et al.
SUIT DATE: 6/27/86 amended
COURT: E.D. Tenn.
DOCKET NUMBER: 3-85-1183
NATURE OF SUIT: Liability/Coverage
NATURE OF CLAIM(S): Insider Abuse/Negligence/Other
TRIAL DATE: 4/3/89

THRIFT: Key S&LA
THRIFT DOCKET#: 5648
FSLIC ATTORNEY: McGuire/Russell
CITY: Englewood
STATE: Colorado
OUTSIDE COUNSEL: Gorsuch, Kirgis, Campbell, Walker, & Grover

SUIT NAME: FSLIC v. Bud Hildebrand
SUIT DATE:
COURT: USDC, Denver
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE:

SUIT NAME: FSLIC v. Prubache
SUIT DATE:
COURT: C.F.T.C.
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE:

SUIT NAME: FSLIC v. Shearson, et al.
SUIT DATE:
COURT: C.F.T.C.
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE:

THRIFT: Kingfisher FS&LA
THRIFT DOCKET #: 2255
FSLIC ATTORNEY: Eisenstein/Mittelman
CITY: Kingfisher
STATE: Oklahoma
OUTSIDE COUNSEL: Hopkins & Sutter (Joe Griffin)

SUIT NAME: FSLIC v. Grabow
SUIT DATE: 9/28/88 (removed)
COURT: W.D. Oklahoma
DOCKET NUMBER: Civ-88-1662R
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Insider Abuse
TRIAL DATE: Not set

THRIFT: Knox FS&LA
THRIFT DOCKET #: 6009
FSLIC ATTORNEY: Kaplow/Kaplow
CITY: Knoxville
STATE: Tennessee
OUTSIDE COUNSEL: Hopkins & Sutter/Walt, Dyer & James

SUIT NAME: FSLIC v. Burdette, et al.
SUIT DATE: 11/13/87
COURT: E.D. Tenn.
DOCKET NUMBER: 3-87-809
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Insider Abuse/Negligence
TRIAL DATE: 8/28/89

SUIT NAME: FSLIC v. Arnold Tackett
SUIT DATE: 11/13/87
COURT: E.D. Tenn.
DOCKET NUMBER: 3-87-808
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud
TRIAL DATE: 8/28/89

SUIT NAME: FSLIC v. Aetna
SUIT DATE: 2/24/88
COURT: E.D. Tenn.
DOCKET NUMBER: 3-88-132
NATURE OF SUIT: Coverage
NATURE OF CLAIM(S):
TRIAL DATE: 8/28/89

THRIFT:	Lamar Savings Association
THRIFT DOCKET #:	0218
FSLIC ATTORNEY:	Beaty/Hendriksen
CITY:	Austin
STATE:	Texas
OUTSIDE COUNSEL:	

SUIT NAME:	Lamar SA v. Stanley E. Adams, et al.
SUIT DATE:	5/17/89
COURT:	USDC, WD Texas
DOCKET NUMBER:	A-88-CA-183
NATURE OF SUIT:	
NATURE OF CLAIM(S):	Breach of Fiduciary duties, Fraud, Civil Conspiracy, Negligence, Gross Negligence, and Legal Malpractice
TRIAL DATE:	

THRIFT:	Liberty FS&LA
THRIFT DOCKET #:	7487
FSLIC ATTORNEY:	Lauer/Norcross
CITY:	Leesville
STATE:	Louisiana
OUTSIDE COUNSEL:	Corrine Morrison, Chaffe, McCall

SUIT NAME:	FSLIC v. James Hague
SUIT DATE:	11/1/88
COURT:	U.S. Bankruptcy Ct., W.D.Tex. (San Antonio Division)
DOCKET NUMBER:	ADV. 88-5299
NATURE OF SUIT:	
NATURE OF CLAIM(S):	Fraud/Insider Abuse
TRIAL DATE:	

THRIFT: Lincoln FS&LA
THRIFT DOCKET #: 0425
FSLIC ATTORNEY: Blair/Whitaker
CITY: Louisville
STATE: Kentucky
OUTSIDE COUNSEL: Squire, Sanders & Dempsey

SUIT NAME: Lincoln (FSLIC) v. E.F. Hutton, et al.
SUIT DATE: 12/29/86
COURT: W.D. Ky.
DOCKET NUMBER: C-86-0973-L-A
NATURE OF SUIT: Liability for Futures Trading Violations
NATURE OF CLAIM(S): Violation of Statute, Breach of Fiduciary Duty, Negligence, Breach of Contract
TRIAL DATE: 1990 (Estimated)

THRIFT: Manning S&LA
THRIFT DOCKET #: 4730
FSLIC ATTORNEY: Kaplow/Kaplow
CITY: Chicago
STATE: Illinois
OUTSIDE COUNSEL: Hopkins & Sutter

SUIT NAME: FSLIC v. I-Tex Energy Corp.
SUIT DATE: 6/10/83
COURT: N.D. Ill.
DOCKET NUMBER: 83C-3994
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse
TRIAL DATE: Not set

SUIT NAME: FSLIC v. Ticktin
SUIT DATE: 5/2/83
COURT: N.D. Ill.
DOCKET NUMBER: 83C-2997
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Insider Abuse
TRIAL DATE: Not set

THRIFT: Mercury SA of Texas
THRIFT DOCKET #: 6505
FSLIC ATTORNEY: Lauer/Norcross
CITY: Wichita Falls
STATE: Texas
OUTSIDE COUNSEL: Baker & Botts

SUIT NAME: FSLIC v. J.B. Haralson
SUIT DATE: 3/88
COURT: USDC, SD Texas (Houston Div.)
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE:

THRIFT: Metropolitan FS&LA
THRIFT DOCKET #: 7877
FSLIC ATTORNEY: Flake/Kessler
CITY: Hialeah
STATE: Florida
OUTSIDE COUNSEL:

SUIT NAME: FSLIC v. Pujol, et al.
SUIT DATE: 7/10/87
COURT: S.D. Fla.
DOCKET NUMBER: 87-1300-CIV-Spellman
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence
TRIAL DATE: 4/3/89

THRIFT: Mountain Security Savings Bank
THRIFT DOCKET #: 7388
FSLIC ATTORNEY: Eisenstein/Mittelman
CITY: Wytheville
STATE: Virginia
OUTSIDE COUNSEL: Kaufman & Canoles (Win Short)

SUIT NAME: FSLIC v. Cole & Armbrister
SUIT DATE: 2/24/88
COURT: W.D. VA
DOCKET NUMBER: 88-0081R
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Other/Accountant Malpractice
TRIAL DATE: Not set

THRIFT: Moutainwest S&L
THRIFT DOCKET #: 0923
FSLIC ATTORNEY: Flake/Kessler
CITY: Ogden
STATE: Utah
OUTSIDE COUNSEL:

SUIT NAME: FSLIC v. Hadley
SUIT DATE: 6/27/88 (inherited)
COURT: Salt Lake County Dist. Ct. (UT)
DOCKET NUMBER: C88-04212
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Insider Abuse
TRIAL DATE: Not set

THRIFT: Mt. Whitney S&LA
THRIFT DOCKET #: 7798
FSLIC ATTORNEY: McGuire/Glaser
CITY: Exeter
STATE: California
OUTSIDE COUNSEL: Graham & James (LA)

SUIT NAME: FSLIC v. Kong, et al.
SUIT DATE: 2/13/86
COURT: USDC, E.D. Cal.
DOCKET NUMBER: CVF-86-88EDP
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse/Negligence
TRIAL DATE: 4/11/89

THRIFT: National Permanent F.S.B.
THRIFT DOCKET #: 0486
FSLIC ATTORNEY: Bombardier/Holzman
CITY: Washington
STATE: D.C.
OUTSIDE COUNSEL: Stohlman, Beuchert, Egan & Smith

SUIT NAME: FSLIC v. INA
SUIT DATE: 1/28/86
COURT: D. D.C.
DOCKET NUMBER: 86-0262
NATURE OF SUIT: Liability/Coverage
NATURE OF CLAIM(S): Fraud/Insider Abuse
TRIAL DATE: 5/1/89

THRIFT: New Orleans Federal
THRIFT DOCKET #: 7049
FSLIC ATTORNEY: Blair/Whitaker
CITY: New Orleans
STATE: Louisiana
OUTSIDE COUNSEL: Milling Bensen (New Orleans, Louisiana)

SUIT NAME: In Re James Van Provosty
SUIT DATE: Bankruptcy file 1/19/88
Objection filed 4/18/88
COURT: U.S. Bankruptcy Court for E.D. La.
DOCKET NUMBER: 88-00205-THK
NATURE OF SUIT: Objection to Discharge
NATURE OF CLAIM(S): Fraud, insider abuse,
Defalcation as Fiduciary
TRIAL DATE: Not set

THRIFT: North America Savings & Loan Association
THRIFT DOCKET #: 8375
FSLIC ATTORNEY: Blair/Satterwhite
CITY: Santa Ana
STATE: California
OUTSIDE COUNSEL: Mayer, Brown

SUIT NAME: FSLIC v. Janet McKinzie et al.
SUIT DATE: 2/10/87
COURT: USDC, C.D. of Cal.
DOCKET NUMBER: 87-861 HLH (TX)
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud, Negligence, Breach of
Fiduciary Duty, RICO
TRIAL DATE: Not set

SUIT NAME: FSLIC v. Jeffrey & Palazzola
SUIT DATE: 4/8/88
COURT: USDC, C.D. of Cal.
DOCKET NUMBER: 88-1242 HLH (TX)
NATURE OF SUIT: Accountant Liability
NATURE OF CLAIM(S): Professional Negligence,
Breach of Contract, Statutory
Violations
TRIAL DATE: Fall, 1989

SUIT NAME: Prudential Insurance v. FSLIC et al.
SUIT DATE: Summer, 1987
COURT: C.D. Cal.
DOCKET NUMBER: 87-5336
NATURE OF SUIT: Interpleader
NATURE OF CLAIM(S):
TRIAL DATE: Not set

THRIFT: Northlake S&LA
THRIFT DOCKET #: 7760
FSLIC ATTORNEY: Eisenstein/Chess
CITY: Covington
STATE: Louisiana
OUTSIDE COUNSEL: Montgeary, Burnett, Brown, Read, Hammond & Mintz (Harry Carter)

SUIT NAME: FSLIC as Receiver v. Max Derbes
SUIT DATE: 3/15/86
COURT: USDC, E.D. Cal.
DOCKET NUMBER: 86-2764-K
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Appraisal Malpractice
TRIAL DATE: 4/3/89

SUIT NAME: FSLIC v. John Sutherlin
SUIT DATE: 3/15/86
COURT: USDC, E.D. La.
DOCKET NUMBER: 86-1089
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Bond Claim
TRIAL DATE:

THRIFT: New North Mississippi S&L
THRIFT DOCKET #: 7546
FSLIC ATTORNEY: Lauer/Norcross
CITY: Oxford
STATE: Mississippi
OUTSIDE COUNSEL: Watkins & Eager

SUIT NAME: FSLIC v. Villard, et al.
SUIT DATE: 4/10/86
COURT: N.D. Mississippi
DOCKET NUMBER: WC86-51-LS-D
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Insider Abuse
TRIAL DATE: 11/89

THRIFT: Ohio Valley S&L Company
THRIFT DOCKET #: 1280
FSLIC ATTORNEY: Flake/Biblin
CITY: Steubenville
STATE: Ohio
OUTSIDE COUNSEL: Squire, Sanders & Dempsey

SUIT NAME: Ohio Valley Sav. & Loan Co. v. Boughner
SUIT DATE: 6/26/87
COURT: S.D. Ohio
DOCKET NUMBER: C2-87-800
NATURE OF SUIT:
NATURE OF CLAIM(S): Negligence
TRIAL DATE: Not set

SUIT NAME: Ohio Valley Sav. & Loan Co. v. Anderson
SUIT DATE: 6/26/87
COURT: S.D. Ohio
DOCKET NUMBER: C2-87-801
NATURE OF SUIT:
NATURE OF CLAIM(S): Negligence/Other Breach of Contract
TRIAL DATE: Not set

THRIFT: Oklahoma Federal S&LA
THRIFT DOCKET #: 3199
FSLIC ATTORNEY: Bombardier/Lewis
CITY: El Reno
STATE: Oklahoma
OUTSIDE COUNSEL: Hall, Estill, Hardwick, Gable, Golden & Nelson

SUIT NAME: FSLIC v. Regier Carr & Monroe et al.
SUIT DATE: 6/86
COURT: USDC, S.D. OK
DOCKET NUMBER: CIV-87-2051-T
NATURE OF SUIT: Accounting Malpractice
NATURE OF CLAIM(S): Other
TRIAL DATE:

SUIT NAME: FSLIC v. Wilkinson
SUIT DATE: 3/27/89
COURT: USDC, WD of Oklahoma
DOCKET NUMBER: 89-505B
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence
TRIAL DATE:

THRIFT: Presidio S&LA
THRIFT DOCKET #: 8260
FSLIC ATTORNEY: Lauer/Wong
CITY: Porterville
STATE: California
OUTSIDE COUNSEL: Pettit & Martin

SUIT NAME: FSLIC v. Wagner, et al.
SUIT DATE: 8/86
COURT: USDC, E.D. Cal.
DOCKET NUMBER:
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Negligence
TRIAL DATE: This case is on appeal from the Court's determination of a good faith settlement

THRIFT: Queen City S&L
THRIFT DOCKET#:
FSLIC ATTORNEY:
CITY: Seattle
STATE: Washington
OUTSIDE COUNSEL:

SUIT NAME: FSLIC v. Loomis
SUIT DATE:
COURT:
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE:

THRIFT:	Ramona S&LA
THRIFT DOCKET #:	2077
FSLIC ATTORNEY:	Lauer/Gabrellian
CITY:	Orange
STATE:	California
OUTSIDE COUNSEL:	Whitman & Ransom

SUIT NAME:	FSLIC v. New Hampshire Ins. Co.
SUIT DATE:	12/15/88
COURT:	USDC, C.D. Calif.
DOCKET NUMBER:	CV-88-513-AHS
NATURE OF SUIT:	Coverage
NATURE OF CLAIM(S):	Other Breach of Contract re Denial of Claim
TRIAL DATE:	Not set

OUTSIDE COUNSEL:	Lawler, Felix & Hall
SUIT NAME:	FSLIC v. Molinaro, et al.
SUIT DATE:	9/16/86
COURT:	USDC, C.D. Calif.
DOCKET NUMBER:	CV-86-6016-AHS
NATURE OF SUIT:	Liability
NATURE OF CLAIM(S):	Fraud/Insider Abuse/Negligence
TRIAL DATE:	Not set (Action stayed pending completion of criminal trial)

THRIFT:	Rooks County, F.S.A.
THRIFT DOCKET #:	5670
FSLIC ATTORNEY:	Whitaker
CITY:	Plainville
STATE:	Kansas
OUTSIDE COUNSEL:	Morrison, Hecker (D.C./Kansas City, MO.)

SUIT NAME:	Roger L. Comeau; David L. Comeau; Charles G. Comeau; Rooks County S.A. and Rupp Financial v. TerryRupp; Farmers National Bank; Grant Thornton
SUIT DATE:	6/16/86 (inherited)
COURT:	USDC, D. Kansas
DOCKET NUMBER:	C.A. 86-1531-T
NATURE OF SUIT:	Accountant and Director liability
NATURE OF CLAIM(S):	Fraud, Negligence
TRIAL DATE:	Not set

THRIFT: Savannah S&LA
THRIFT DOCKET #: 7566
FSLIC ATTORNEY: Kaplow/Kaplow
CITY: Savannah
STATE: Tennessee
OUTSIDE COUNSEL: Hopkins & Sutter/Walt, Dyer & James

SUIT NAME: FSLIC. v. Sam Lewis et al.
SUIT DATE: 9/18/86
COURT: W.D. Tenn.
DOCKET NUMBER: 86-1199
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence
TRIAL DATE: Stayed

THRIFT: Seapointe S&LA
THRIFT DOCKET#: 8132
FSLIC ATTORNEY: McGuire/Andersen
CITY: Carlsbad
STATE: California
OUTSIDE COUNSEL: Schall, Boudreau, & Gore

SUIT NAME: FSLIC v. Strategic Investment Services, et al.
SUIT DATE:
COURT:
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE:

THRIFT: Security Trust S&LA
THRIFT DOCKET #: 7524
FSLIC ATTORNEY: Kaplow/Kaplow
CITY: Oakridge
STATE: Tennessee
OUTSIDE COUNSEL: Hopkins & Sutter/Jenkins & Jenkins

SUIT NAME: FSLIC v. Taylor
SUIT DATE: 1/2/87
COURT: E.D. Tenn.
DOCKET NUMBER: 3-87-41
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Insider Abuse/Negligence
TRIAL DATE: Continued indefinitely

THRIFT: Sentry Savings Association
THRIFT DOCKET #: 6302
FSLIC ATTORNEY: Eisenstein/McClellan
CITY: Slaton
STATE: Texas
OUTSIDE COUNSEL: Gardere & Wynne (Douglas Adkins)

SUIT NAME: Sentry Savings v. J.T. Wiley
SUIT DATE: 1/88
COURT: USDC, N.D. Texas (Lubbock Division)
DOCKET NUMBER: CA5-89-0026
NATURE OF SUIT: Other/Director
NATURE OF CLAIM(S): Fraud/Negligence/Other Breach of Fiduciary Duty
TRIAL DATE: Not set

THRIFT: Sierra Federal Savings & Loan
THRIFT DOCKET #: 7590
FSLIC ATTORNEY: Feinstein/ McGuire
CITY: Denver
STATE: Colorado
OUTSIDE COUNSEL: Gorsuch, Kirgis, Campbell, Walker & Grover

SUIT NAME: FSLIC as Receiver for Sierra v. Dyer, et al.
SUIT DATE: 9/88
COURT: Denver District Court
DOCKET NUMBER: 88-CV2009
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE: August 1989

SUIT NAME: FSLIC as Receiver for Sierra v. Quintana, et al.
SUIT DATE: 8/13/87
COURT: USDC, Denver, Col.
DOCKET NUMBER:
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE: Settlement offer accepted; agreement being drafted

THRIFT: South Bay S&LA
THRIFT DOCKET #:
FSLIC ATTORNEY: Beaty/Berkley
CITY: Gardena
STATE: California
OUTSIDE COUNSEL: Lawler, Felix & Hall

SUIT NAME: FSLIC v. Aylward, et al.
SUIT DATE:
COURT: USDC, C.D. Cal.
DOCKET NUMBER: 88-06100 RSWL(SX)
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Negligence/Legal Malpractice
TRIAL DATE:

THRIFT: Southern FloridaBanc
THRIFT DOCKET #: 7997
FSLIC ATTORNEY: Kaplow/Dimmick
CITY: Riviera Beach
STATE: Florida
OUTSIDE COUNSEL: Squire, Sanders & Dempsey

SUIT NAME: FSLIC v. Blake
SUIT DATE:
COURT: USDC, S.D. Fla.
DOCKET NUMBER: 88-0767-Nesbitt
NATURE OF SUIT: Appraiser
NATURE OF CLAIM(S): Negligence
TRIAL DATE:

THRIFT: State FS&LA
THRIFT DOCKET #: 6793
FSLIC ATTORNEY: Whitaker/Blair
CITY: Corvalis
STATE: Oregon
OUTSIDE COUNSEL: Miller, Nash, Wiener, Hager & Carlsen

SUIT NAME: FSLIC v. Nevis, et al.
SUIT DATE: 1986
COURT: USDC, Oregon
DOCKET NUMBER: 86-1436-PA
NATURE OF SUIT: vs. outside borrower/guarantor
NATURE OF CLAIM(S): Breach of Contract
TRIAL DATE: Not set

THRIFT: State S&LA
THRIFT DOCKET #: 6659
FSLIC ATTORNEY: Lantelme
CITY: Clovis
STATE: New Mexico
OUTSIDE COUNSEL: Lionel, Sayer & Collins - Las Vegas, Nevada
Rodey, Dickason, Sloan, Akin & Robb - Albuquerque, NM
SUIT NAME: NONE

THRIFT: State S&LA
THRIFT DOCKET #: 1616
FSLIC ATTORNEY: Kaplow/Gunning
CITY: Salt Lake City
STATE: Utah
OUTSIDE COUNSEL: Cooley, Godward

SUIT NAME: FSLIC v. Robert Buceta, et al.
SUIT DATE: 5/29/86
COURT: USDC, C.D. Cal.
DOCKET NUMBER: CV86-3445-JGD (TX)
NATURE OF SUIT: Other/Borrower
NATURE OF CLAIM(S): Fraud/Negligence/Other/Breach Contract
TRIAL DATE: Not set

OUTSIDE COUNSEL: Squire Sanders
SUIT NAME: FSLIC v. J. Williams Oldenburg
SUIT DATE: 12/31/85
COURT: USDC, D. Utah (Central Division)
DOCKET NUMBER: C-85-1418W
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse
TRIAL DATE: 1/2/90

THRIFT: State S&LA
THRIFT DOCKET #: 6409
FSLIC ATTORNEY: Lauer/Lauer
CITY: Lubbock
STATE: Texas
OUTSIDE COUNSEL: Hutcheson & Grundy/Whittenburg, Whittenburg & Schachter

SUIT NAME: FSLIC v. Campbell, et al.
SUIT DATE: 3/87
COURT: USDC, N.D. Texas (Lubbock Division)
DOCKET NUMBER:
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse/Negligence
TRIAL DATE: Not set

THRIFT: Sunbelt Savings Association of Texas
THRIFT DOCKET #: 5898
FSLIC ATTORNEY: Ribnick
CITY: Dallas
STATE: Texas
OUTSIDE COUNSEL: Andrews & Kurth

FSLIC ATTORNEY: Charles McDonald coordinating Bazarian claims
OUTSIDE COUNSEL: (Leonard, Marsh, Hurt, & Terry of Dallas, - Coordinating counsel for Bazarian claim
SUIT NAME: In Re Bazarian, FSLIC as Rec for Sunbelt v. Bazarian
SUIT DATE: May 1987
COURT: U.S. Bankruptcy Court for WD Oklahoma
DOCKET NUMBER: 87-3927/88-0294 Adversary No.
NATURE OF SUIT: Placed into involuntary bankruptcy by various S&Ls and Receivers. Claims against estate, objection to bankruptcy discharge.
NATURE OF CLAIM(S): Fraud as Borrower and insider of various S&Ls
TRIAL DATE: Not set

SUIT NAME: Sunbelt et al. v. Edwin T. McBirney, et al.
SUIT DATE: 6/2/88 (inherited)
COURT: N.D. Texas
DOCKET NUMBER: 88-1986-R
NATURE OF SUIT: D&O, Accountants Malpractice
NATURE OF CLAIM(S): Breach of Fiduciary Duty, Negligence, Fraud, Conversion, Professional Malpractice, Breach of Contract
TRIAL DATE: Not set

THRIFT: Sun Belt Federal Bank
THRIFT DOCKET #: 2609
FSLIC ATTORNEY: Blair/Barnwell
CITY: Lake Providence
STATE: Louisiana
OUTSIDE COUNSEL: Liskow & Lewis (New Orleans, LA)

SUIT NAME: Brumfield, As Trustee of Sun Belt ESOP v. Shelton
SUIT DATE: 9/87
COURT: E.D. Louisiana
DOCKET NUMBER: 87-4180-I
NATURE OF SUIT: Liability/Suit Against former Brd of Directors of ESOP
NATURE OF CLAIM(S): Breach of Fiduciary Duty by having ESOP purchase stock of Sun Belt at inflated price from Sun Belt Directors
TRIAL DATE: 8/21/89

SUIT NAME: FSLIC v. Luther Pike
SUIT DATE: 11/85
COURT: Orig. filed in 24th Jud. Dist. Jefferson Parish - La.
DOCKET NUMBER: 319-750
NATURE OF SUIT: Appraisal Malpractice
NATURE OF CLAIM(S): Over valuation of property
TRIAL DATE:

SUIT NAME: FSLIC v. McCollister, McCleary Fazio & Holliday (*Filings in multiple districts - venue problems)
SUIT DATE: 1986
COURT: M.D. Louisiana
DOCKET NUMBER: 87-0009
NATURE OF SUIT: Legal Malpractice
NATURE OF CLAIM(S): Legal Malpractice in perfecting security on real estate
TRIAL DATE:

SUIT NAME: FSLIC v. Wendell Shelton, et al.
SUIT DATE: 5/86
COURT: M.D. of Louisiana
DOCKET NUMBER: 86-393-B
NATURE OF SUIT: D&O liability and direct action against insurance and bond company
NATURE OF CLAIM(S): Breach of Fiduciary Duty, and Fraud
TRIAL DATE: Nct set

SUIT NAME:	FSLIC v. Lensing, Gravel, Rosenzweig, et al.
SUIT DATE:	
COURT:	
DOCKET NUMBER:	89-329 Mag. Div. B
NATURE OF SUIT:	Atty malpractice
NATURE OF CLAIM(S):	
TRIAL DATE:	

SUIT NAME:	FSLIC v. Sidney D. Fazio, the partnership of McCollister, McCleary, Fazio, & Holliday (*Filings in multiple districts - venue problems)
SUIT DATE:	
COURT:	
DOCKET NUMBER:	89-328 Mag. Div. A
NATURE OF SUIT:	
NATURE OF CLAIM(S):	
TRIAL DATE:	

SUIT NAME:	FSLIC v. McKinnis, Juban, Bevan, et al.
SUIT DATE:	
COURT:	
DOCKET NUMBER:	89-327 Mag. Div. A
NATURE OF SUIT:	
NATURE OF CLAIM(S):	
TRIAL DATE:	

SUIT NAME:	FSLIC v. Joseph Blake & Assoc., et al.
SUIT DATE:	
COURT:	
DOCKET NUMBER:	
NATURE OF SUIT:	
NATURE OF CLAIM(S):	
TRIAL DATE:	

SUIT NAME:	FSLIC v. William Cobb & the Cobb Corp.
SUIT DATE:	
COURT:	
DOCKET NUMBER:	
NATURE OF SUIT:	
NATURE OF CLAIM(S):	
TRIAL DATE:	

THRIFT: Sunrise S&LA
THRIFT DOCKET #: 7737
FSLIC ATTORNEY: Manuel
CITY: Lake Worth
STATE: Florida
OUTSIDE COUNSEL: Squire, Sanders & Dempsey (Miami, Florida)

SUIT NAME: FSLIC v. Jacoby
SUIT DATE: 9/2/86
COURT: S.D. of Florida
DOCKET NUMBER: 86-1894
NATURE OF SUIT: D&O liability, Accountants & Attorney Malpractice
NATURE OF CLAIM(S): Fraud, Insider Abuse, Negligence, Business torts, RICO
TRIAL DATE: Not set

THRIFT: Sun Savings & Loan Association

THRIFT DOCKET #: 7780
FSLIC ATTORNEY: Eisenstein/Abramson
CITY: San Diego
STATE: California
OUTSIDE COUNSEL: Schall, Boudreau & Gore

SUIT NAME: FSLIC v. Dierdorff
SUIT DATE: 10/21/85
COURT: S.D. Calif.
DOCKET NUMBER: 85-2606GM
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud
TRIAL DATE: Not set

THRIFT: Territory S&LA
THRIFT DOCKET #: 7872
FSLIC ATTORNEY: Bombardier/Lewis
CITY: Seminole
STATE: Oklahoma
OUTSIDE COUNSEL: Finkelstein, Thompson & Lewis

SUIT NAME: FSLIC v. FSI Futures, Inc. et al.
SUIT DATE: 6/29/87 (Date initiated by instit.)
COURT: USDC, S.D.N.Y.
DOCKET NUMBER: 88-CIV-0906-PNL
NATURE OF SUIT: Commodities Fraud
NATURE OF CLAIM(S): Fraud/Other
TRIAL DATE:

SUIT NAME: FSLIC v. American Casualty Co. of Reading, PA
SUIT DATE: 5/6/87 (Date initiated by instit.)
COURT: USDC, E.D. OK
DOCKET NUMBER:
NATURE OF SUIT: Coverage/Bond Claims
NATURE OF CLAIM(S): Insider Abuse
TRIAL DATE: 4/3/89

THRIFT: Tri-County S&L
THRIFT DOCKET #: 6465
FSLIC ATTORNEY: Blair/North
CITY: Maple Shade
STATE: New Jersey
OUTSIDE COUNSEL: Hopkins & Sutter (Chicago, Illinois)

SUIT NAME: Tri-County S&L Association v. Greenbaum, Rowe, et al.
SUIT DATE: 4/30/87
COURT: Superior Court of New Jersey
DOCKET NUMBER: L-0700020-87
NATURE OF SUIT: Main action is against former law firms; Third Party Counterclaim against Directors & Officers
NATURE OF CLAIM(S): Fraud, Negligent Misrepresentation, Legal Malpractice and Breach of Fiduciary Duty
TRIAL DATE: 6/89 (Estimated)

THRIFT: Unified S.B.
THRIFT DOCKET #: 8352
FSLIC ATTORNEY: Blair
CITY: Northridge
STATE: California
OUTSIDE COUNSEL: Dewey Ballantine

SUIT NAME: FSLIC v. Evans et al.
SUIT DATE: 5/5/85
COURT: USDC, C.D. of Cal.
DOCKET NUMBER: 87-1960
NATURE OF SUIT: D&O Liability
NATURE OF CLAIM(S): Negligence, Breach of Fiduciary Duty, Statutory Violations
TRIAL DATE: 2/14/89

THRIFT: United FS&LA
THRIFT DOCKET #: 4224
FSLIC ATTORNEY: Flake/Sarshik
CITY: Durant
STATE: Oklahoma
OUTSIDE COUNSEL: Kimball, Wilson & Walker

SUIT NAME: FSLIC v. Eddie Dean Mittelstet
SUIT DATE:
COURT: USDC, WD Oklahoma
DOCKET NUMBER: CIV 89-341 T
NATURE OF SUIT: Against Officers
NATURE OF CLAIM(S): Breach of Fiduciary/Fraud and Negligence
TRIAL DATE: Not set

THRIFT:	United First FS&LA
THRIFT DOCKET #:	1376
FSLIC ATTORNEY:	Blair/Ribnick
CITY:	Boise
STATE:	Idaho
OUTSIDE COUNSEL:	Perkins, Coie

FSLIC ATTORNEY:	Charles McDonald coordinating Bazarian claims
OUTSIDE COUNSEL:	(Leonard, Marsh, Hurt, & Terry of Dallas, TX - Coordinating counsel for Bazarian claims)

SUIT NAME:	In Re Bazarian, FSLIC as Rec for United v. Bazarian
SUIT DATE:	May 1987
COURT:	U.S. Bankruptcy Court for WD Oklahoma
DOCKET NUMBER:	87-3927/88-0300 Adversary No.
NATURE OF SUIT:	Placed into involuntary bankruptcy by various S&Ls and Receivers. Claims against estate, objection to bankruptcy discharge.
NATURE OF CLAIM(S):	Fraud as Borrower and insider of various S&Ls
TRIAL DATE:	Not set

THRIFT: Universal Savings Association
THRIFT DOCKET #: 7597
FSLIC ATTORNEY: Eisenstein/Mittelman
CITY: Chickasha
STATE: Oklahoma
OUTSIDE COUNSEL: Mitchell Williams (Kirby Lockhart)

SUIT NAME: FSLIC v. First Investment Services
SUIT DATE: 11/12/85
COURT: E.D. Ark.
DOCKET NUMBER: LR-E-85-778
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Other/Securities trading
TRIAL DATE: Not set

SUIT NAME: FSLIC v. Larry Sevier
SUIT DATE: 9/10/87
COURT: W.D. Okla.
DOCKET NUMBER: Civ-87-2015R
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Insider Abuse
TRIAL DATE: Not set

THRIFT: USM Savings Bank
THRIFT DOCKET #: 7432
FSLIC ATTORNEY: Beaty/Hendriksen
CITY: Detroit
STATE: Michigan
OUTSIDE COUNSEL: Hill, Lewis, Adams, Goodrich & Tait

SUIT NAME: FSLIC v. John E. Quinlan, et al.
SUIT DATE: 8/8/86
COURT: E.D. Michigan
DOCKET NUMBER: 86-CV-73343-DT
NATURE OF SUIT: Liability
NATURE OF CLAIM(S): Fraud/Insider Abuse/Negligence/Waste
TRIAL DATE: Not set

THRIFT: Vernon Savings & Loan Association
THRIFT DOCKET #: 6485
FSLIC ATTORNEY: Blair/McDonald
CITY: Vernon
STATE: Texas
OUTSIDE COUNSEL: Arter & Hadden (Dallas & Washington, D.C.)

SUIT NAME: In Re Dondi Financial Corp. (DFC)
SUIT DATE: 4/87 (Bankruptcy filing)
COURT: U.S. Bankruptcy Court, N.D. Texas Dallas
DOCKET NUMBER: 387-34093-RCM-11
NATURE OF SUIT: Liability/Claims Against Estate of D&C - the Holding Company of Vernon
NATURE OF CLAIM(S): Controversy now centers around rights to tax refunds on taxes filed by DFC but funded by Vernon on income earned almost exclusively by Vernon - other claims arise from DFC's mismanagement of Vernon. DFC totally controlled by Dixon
TRIAL DATE: Not set

SUIT NAME: FSLIC v. Dixon
SUIT DATE: 4/87
COURT: N.D. Texas, Dallas
DOCKET NUMBER: CA-3-87-11-2-G
NATURE OF SUIT: Liability/Fraud & D&O Suit/ Freeze Action against D&Os controlling persons
NATURE OF CLAIM(S): Fraud & insider abuse, gross negligence
TRIAL DATE: Postponed until after criminal prosecution of Woody Lemons scheduled in April -- will likely be delayed further by other indictments and trials.

SUIT NAME: In Re Dixon
SUIT DATE: 4/87 (Date of bankruptcy filing)
COURT: U.S. Bankruptcy Court, N.D. of Texas, Dallas
DOCKET NUMBER: 387-33941-RCM-11
NATURE OF SUIT: Objection to discharge; claims against estate of Don Dixon
NATURE OF CLAIM(S): Fraud, Breach of Fiduciary Duty, Negligence, etc.
TRIAL DATE: Objections to discharge have been consolidated with FSLIC v. Dixon. Trial postponed until after criminal prosecutions.

SUIT NAME: In Re Bazarian, In Re C.B. Financial
SUIT DATE: 5/87
COURT: U.S. Bankruptcy Court for W.D. Okl.
DOCKET NUMBER: 87-3927
NATURE OF SUIT: Bankruptcy; objection to discharge
NATURE OF CLAIM(S): Fraud
TRIAL DATE: Not set

THRIFT: Westwood Savings
THRIFT DOCKET #: 7611
FSLIC ATTORNEY: Feinstein/McGuire
CITY: Los Angeles
STATE: California
OUTSIDE COUNSEL: McCutchen, Black, Verleger & Shea

SUIT NAME: FSLIC as Conservator for Westwood v. Israel, et al.
SUIT DATE: 6/26/87
COURT: USDC for Los Angeles
DOCKET NUMBER: CV870-04124 WDK (TX)
NATURE OF SUIT:
NATURE OF CLAIM(S):
TRIAL DATE: Not set

ATTACHMENT 5 (d)

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File: CASE.DBF                                                                          Page 1
      WHERE case_close = N

 FIN   CASE_NAME                                   DOCKET_NUM           COURT_ST  STATE_FED
-------------------------------------------------------------------------------------------
 0002  FDIC v. Don R. Dixon, Dondi Financial       CA-3-87-1102-G       TX        F
       Corp., Woody F. Lemons, Richard A.
       Little, John V. Hill, John G. Smith,
       Patrick G. King, Pat Malone, Northpark
       Savings Associtaion, Don Ross Malone as
       Trustee for Lemon's Children Trusts; Don
       Ross Malone and Gary David, Co-Trustees
       of the Mone Children's Lond Term Trusts,
       Brad Lemons; Paula Lemons, Lawson
       Lemons, First Equity Mortgage Corp.
 0002  In re: Don Ray Dixon and Dana Dene Dixon    387-33961-RCM-11     TX        F
 0002                                              87-3927
 0002  FDIC v. Vineyard                            CA-3-89-1910-D       TX        F
 0002  FDIC v. G. Gipp Dupree                      CA3-89-0845-D        TX        F
 0002  FDIC v. Jon R. Bauman; F. Richard           CA3-90-614-H         TX        F
       Bernasek; Scott Bradley; Henry D.
       Deberry, III; Richard A. Freling Herbert
       Spencer Kendrick, III, Independent
       Executor of the Estate of Herbert S.
       Kendrick, Jr., Deceased; Raymond J.
       Martin, Jr.; Donald R. Rector; and
       Laurence B. Vineyard, Jr.
 0002  In re Dondi Financial Corp.                 387-34093-RCM-11     TX        F
 0002  National Union Fire Insurance Co of         CA3-90-0492-H        TX
       Pittsburgh Pa., v. FDIC and Akin, Gump,
       Strauss, Hauer & Feld
 0006  FSLIC as Receiver for First Federal of      CV 88-00873 HMF      HI        F
       Maryland, FSB and FSLIC as Receiver for
       Guaranty Savings & Loan Association v.
       John Child & Co., Inc.
 0009                                              89-55843             CA        S
 0009  FDIC v. O'Melveny                           CV78-2877 TJH (KX)   CA        F
 0009  FSLIC v. Lewis A. Mabeat                    C 88 4481 SAW        CA        F
 0009  FSLIC v. Sahni                              x145330              CA        F
 0009  FSLIC v. Sahni                              86-1075 RMT (GX)     CA        F
 0009  FSLIC v. Sahni                              8601075 RMT (GX)
 0010  FDIC/FSLIC v. Margaret Gin; Frank E.        C-85-3845-JPV        CA        F
       Burrows; Bryant J. Brooks, Jr.; Fred E.
       Enemark; E. Tim Ching; William Nagel;
       John Y. Chiang; Cynthia Murphy; Joseph
       Loetterle; Miles A. Cobb; James Grauer;
       David Butler; Mike Moran; Richard
       Benvenuti; James Kassis; Hancock; Murphy
       Maier; John Reynan; and Christo Bardis
 0010                                              C-85-3845-SC
 0010
 0010
 0011  FSLIC v. Kong, et al.                       CVF-86-[illegible]GDP  CA      F
 0012  Sunkist Services v. Mutual Fire             C 6140 295           CA        S
 0013                                              88-1242 WLH (TX)     CA        F
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File: CASE.DBF                                                                            Page 2
      WHERE case_close = N

 FIN    CASE_NAME                                   DOCKET_NUM           COURT_ST  STATE_FED
-------------------------------------------------------------------------------------------
 0013   FSLIC, Corporate v. McKinzie, et al.        87-861 (HLH)         CA        F
 0013   Prudential Insurance v. FSLIC               87-5336                        F
 0013   FSLIC, Corporate v. Imperial Bank and       CV89-4240 HLH (JRX)  CA        F
        Ronald Askew
 0014                                               86-3812 AHS (GX)
 0015   FSLIC v. Robert Ferrante, Ray Arthur,       CV-86-3332 MRP       CA        F
        Ronald Schmucker, Rocco William
        Ferrante, Ronald Bartholomew, Raphael
        Rosiquia, Eric Bronk, William Seay,
        Peter Sandagne
 0015                                               87-3927
 0016   American Casualty Company of Reading,       CV87-1767            CA        F
        Pennsylvania v. David P. Rousso, Michael
        Flaherty, Edgar P. Oyko, Hal J. Webb,
        Martin G. Webb, Sheldon Appel, Howard F.
        Neal, Dennis Fitzpatrick, Paul Amir,
        Robert A. Steele, Robert E. Newberry,
        Robert A. Hewitt, David A. McDougall,
        Robert J. Pelletier, Robert J. Dalton,
        Preston Silbaugh, Herta Amir, Terry N.
        Christensen, Myron Myers, Michael L.
        Tenzer, and Federal Savings and Loan
        Insurance Corporation, in its corporate
        capacity and as Receiver for Beverly
        Hills Savings and Loan Association
 0016                                               CV88-605-JSL(RWR)
 0016   Federal Savings and Loan Insurance          CV86-6780            CA        F
        Corporation v. Dennis Fitzpatrick, Paul
        Amir, Michael Flaherty, Robert A.Steele,
        Robert E. Newberry, Robert A. Hewitt,
        David A. McDougall, Robert J. Pelletier,
        Edgar P. Boyko, Robert J. Dalton, David
        P. Rousso, Preston N. Silbaugh, Hal J.
        Webb, Martin G. Hubbard, Sheldon Appel,
        Howard F. Neal, Werner K. Rey, Swiss
        Metalworks Selve International
        Investment N.V., Skal B.V., Triangle
        Development, Inc., and Touche Ross & Co.
 0016                                               CV88-0651
 0016   Federal Savings and Loan Insurance          88-02262 WMB (BX)    CA        F
        Corporation v. Landauer Associates,
        Inc., a Delaware Corporation
 0016   Murdock - SC Associates, a California       C58-2476             CA        S
        General Partnership v. Dennis
        Fitzpatrick, Dean Bierbower, Gary L.
        Chain, Robert J. Dalton, Robert A.
        Hewitt, David I. McDougall, Robert E.
        Newberry, Robert J. Pelletier, Robert F.
        Rickerl, Robert A. Steele, Preston N.
        Silbaugh, Robert Anson Steele
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File: CASE.DBF                                                                                  Page 3
       WHERE case_close = N

FIN    CASE_NAME                                DOCKET_NUM           COURT_ST  STATE_FED
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       Associates, a Corporation, J.D. Stout
       Company, a Corporation, Werner K. Rey,
       Touche Ross & Co., a Partnership, and
       DOES 1 through 50, inclusive
0016   In re Beverly Hills Savings and Loan     85-2702 RMT (TX)     CA        F
       Association Securities Litigation
0016   Federal Savings and Loan Insurance       CV88-7176 RMT (TX)   CA        F
       Corporation, as Receiver for Beverly
       Hills Savings and Loan Association v.
       American Casualty Company of Reading,
       Pennsylvania
0017                                            C-87-4675-SL
0017                                            C-86-6641-CAL        CA        F
0019   FSLIC v. Soderling, et al.               C-88-0401 RFP        CA        F
0019                                            CV89-2877 TJH (KX)
0021   FDIC, as Manager of the Fslic Rsolution  CIVS-87-0430 EJG-EM  CA        F
       Fund, statutory successor to the FSLIC
       Corporate V. Cynthia Anders, as Executor
       of the Estate of Peter Anders, John R.
       Burger, Martin A. Finegold, T. Dean
       Itano, Gregory Bullen, Marilyn L.
       Liggett, Colleen Tribble, Douglas
       Arnold, Thomas Bailey, Richard
       Bortolazzo. Marilyn Groth, Alvin Harter,
       Dennis Carlton, and Stuart S. Greenberg,
       Kenneth Keller, and Theodore McLaugherty
       and FDIC v. Underwriter at Lloyd's
0022   FSLIC v. Dennis Harter                   C88-3459-RHS         CA
0022   FSLIC v. Siddharth S. Shah; Leslie R.    C-87-1197-RHS        CA        F
       Headrick; Walter H. Ratcliff; Alan
       Bartlett; Warren G. Dutton, Jr; Alice
       Hudson; Patricia Ross; Robert L.
       Evangelisti; Patrick J. Connolly; James
       K. Burns; Beverly Haines; Michael K.
       Dooley; Kirk A. Musacchio; Leo A.
       Andrade; Clinton J. Wilson; Lakewood
       Enterprises, Inc.; Nicolaas Sandmann;
       and Damstreet, Inc.
0022   FSLIC v. Nicolaas Sandmann               C-89-0082 RHS        CA        F
0023   FDIC, as manager of FSLIC Resolution     C89-2618 SAW         CA        F
       Fund v. Thomas H. Day
0023   FDIC v. Irving Loube, Thomas Gentry,     C89-2600 SAW         CA        F
       Thomas Van Voorhis, Alexander Fedrowsky
0024                                                                 CA        S
0025   FSLIC v. Strategic Investment            88-0769-B(IES)       CA        F
0026   FSLIC v. New Hampshire Insurance Company CV-88-513-AHS        CA        F
0026   FSLIC v. John L. Molinaro, Donald P.     86-6016-AHS          CA        F
       Mangano, Sr., Geraldine Balogh, Frank
       Provost, Bill Heaton, Donald W. Stump,
       Mike Sage, Mike Sage and Company, Inc.,
File: CASE.DBF                                                                           Page 4
      WHERE case_close = N

 FIN    CASE_NAME                                  DOCKET_NUM            COURT_ST  STATE_FED
-------------------------------------------------------------------------------------------
        an accountancy corporation, M&M
        Partnership, a partnership, S.J.
        DiFilippo, Donald C. Calvello, John L.
        Dariano, Frank DeCarlo, Marco J.
        Trapani, trustee of 1976 Molinaro's
        Children's Trust, Marco J. Trapani,
        trustee of MMM Profit Sharing Trust,
        Kimberleigh Molinaro (aka Kimberleigh
        Ferm), Sharon A. Molinaro, M-M-M Carpets
        Unlimited, Inc., a corporation, Mangano
        & Sons, Inc., a corporation, Mary
        Mangano, William Welch, and DOES 1-40
 0027   FSLIC, an agency an instrumentality of    88-0767-CIV-NESBITT   FL        F
        the United States v. Joseph J. Blake and
        Associates, Inc., a New York corporation
 0027   Southern Floridabanc v. Cohen, Scherer &  CL87-2324AK           FL        S
        Cohen
 0027   FDIC v. M. Jan Akre; Samuel C. Alhadeff;  CIV-2549              NY        F
        Edward J. Allera; Edward J. Allera,
        P.C.; Cory M. Amron; Michael A.
        Bamberger; Michael A. Bamberger, P.C.;
        Margaret A. Bancroft; Alan I. Baron;
        Alan I. Baron, P.C.; Martin A. Bell;
        Michael Berenson; Donald J. Bezahler;
        Donald J. Bezahler, P.C.; J. Lawrence
        Blades; Gary L. Blum; Gary L. Blum,
        P.C.; Michael V. Blumenthal; Stephen A.
        Bodzin; Gregory P. Borgognoni; Kenneth
        S. Brown; Richard M. Brown; Hugh L.
        Carey; Robert J. Casey; Robert J. Casey,
        P.C.; Jeffrey A. Charleston; James M.
        Christian; Lloyd S. Clareman; Landon K.
        Clayman; Mark A. Cohen; Michael F. Cole;
        Ronald D. Coleman; John J. Connors; John
        A. Craig; Richard M. Critchlow; Richard
        M. Critchlow, P.A.; Estate of Mitchell
        S. Cutler; Michael D. Dempsey; Richard
        K. Descherer; Louis M. Diamond; Louis M.
        Diamond, P.C.; Alan G. Dowling; Carroll
        E. Dubuc; James R. Eller, Jr.; James R.
        Farrand; Norman Fassler; Mitchell
        Fenton; Elihu Fier; Jeffrey A. Fillman;
        Jeffrey A. Fillman, P.C.; Leon Finley;
        Louis Frey, Jr.; Jose R. Garcia-Pedrosa;
        Alan M. Gelb; Alan M. Gelb, P.C.; Mark
        S. German; L. Martin Gibbs; L. Martin
        Gibbs, P.C.; Bernard Gordon; Frederick
        M. Graefe, P.C.; Gregor F. Gregorich;
        Jeffrey G. Gurren; Alexander P. Haig;
        Aaron L. Handleman; Andrew H. Heine;
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      WHERE case_close = N

 FIN   CASE_NAME                                      DOCKET_NUM         COURT_ST  STATE_FED
----------------------------------------------------------------------------------------------
       Andrew N. Heine, P.C.; Ballard Jamieson,
       Jr.; Sudeok Jang; Wayne K. Johnson;
       Aiden D. Jones; James F. Jorden; James
       F. Jorden, P.A.; William L. Kandel;
       Samuel P. Kastner; Melvin Katz; Kerry M.
       Kinney; Robert A. Klein; Jerome
       Kowalski; Steven B. Kray; Steven B.
       Kray, P.C.; Ronald Kreisman; Michael E.
       Kris; Robert B. Krueger; Steven J.
       Kumble; Barry H. Lawrence; Barry H.
       Lawrence, P.C.; Edward R. Levin; David
       M. Lovine; Judith Liftschitz; Michael L.
       Lipman; Robert H. Londen; M. James
       Lorenz; Marshall Manley; Marshall
       Manley, P.C.; David B. McCrea; Paul J.
       McMahon; Gerdld J. Mehlman; Gerald J.
       Mehlman, P.C.; Jeffrey P. Meyer; Jerold
       L. Miles; Jeffrey J. Milton; Michael W.
       Monk; Thomas R. Moore; Harvey D.
       Myerson; Elliott B. Newman; Estate of J.
       Michael Nifong; Thomas J. Nolan; William
       K. Norman; James S. Normile; William F.
       O'Brien, Jr.; Richard G. Osborn; Richard
       G. Osborn, P.C.; Gary F. Overstreet;
       Lionel E. Pashkoff; Paul L. Perito; Paul
       L. Perito, P.C.; Robert G. Pinco; Robert
       S. Plotkin; Ian K. Portnoy; James D.
       Prendergast; Joserph R. Rackman, P.A.;
       Stephen P. Reid; Steven R. Reininger;
       Steven R. Reininger, P.A.; Ira Revich;
       Mark J. Richardson; Roger W. Rosendahl;
       Robert H. Rubenstein; Richard L.
       Russell; Gunther Schiff; Edwrd I.
       Schmitt; Steven H. Schrag; John H.
       Schulte; John H. Schulte, P.A.; Alan U.
       Schwartz; Philip B. Schwartz; Carl A.
       Schwarz, Jr.; Ronald S. Shapiro;
       Lawrence H. Sherman; Lawrence H.
       Sherman, P.C.; Donald S. Snider;
       Mushmand Soheili; Valerie Stott; Valerie
       A. Stott, P.A.; Larry S. Stumpf; Larry
       A. Stumpf, P.A.; Brian D. Sullivan; J.
       Stacey Sullivan, Jr.; Thomas L. Taylor,
       III; Thomas Tew; Thomas Tew, P.A.; Marc
       D. Teitelbaum; Robert E. Thomson; Alan
       R. Trustman; Joseph D. Tydings; Neil
       Underberg; Neil Underberg, P.C.; Howard
       J. Tytel; Frederick B. Utley, III;
       Abelardo L. Valdez; Raymond L.
       Vandenberg; Gerald W. Vesper; Brenda R.
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 FIN    CASE_NAME                                   DOCKET_NUM           COURT_ST  STATE_FED
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        Viehe-Naess; Estate of Harold S.
        Voegelin; Robert F. Wagner; Randall S.
        Waier; Robert B. Washington, Jr.; Robert
        B. Washington, Jr., P.C.; William A.
        Weber; William A. Weber, P.A.; Frederic
        E. Weinberg; Edward G. Williams; Richard
        D. Williams, P,C.; Richard E. Williams;
        John P. Wintrol; Morris A. Wirth; Morris
        A. Wirth, P.C.; Howard W. Wollitz, P.C.;
        Robert K. Wrede; Seth M. Zachary;
        Bertram R. Sweig; Bertram R. Zweig,
        P.C., in their capacities as former
        members of the partnership of Finley,
        Kumble, Wagner, Underberg, Manley,
        Myerson & Casey, and in their individual
        capacities with regard to their
        obligations as members of the partnershp
        or their capacities as principals of
        professional corporations which were
        members of the partnership

0027    In re Finley, Kumble, Wagner, Heine,        88-B-10377(PBA)      NY        F
        Underberg, Manley, Myerson & Casey,
        consolidated with Francis N. Musselman,
        Trustee v. Ciro, Inc., et al., Adversary
        Proceeding No. 88-5302A
0028    FSLIC v. Hilburn Con. & Dev. Co.            CV-F-89-567 EDP      CA        F
0030    FDIC v. Aylward, Kintz, et al.              88-06100 RSWL (SX)
0032
0033    FDIC as Manager of the FSLIC Resolution     87-04124 WDK (TX)    CA        F
        Fund v. Israel, et al.
0033    FDIC as Manager of the FSLIC Resolution     CV 87-1793-RG (RX)   CA        F
        Fund v. Howard Jackson Associates
0038    FDIC v. Francis "BUD" Hilldenbrand          CIV-89-A-535         CO        F
0038    FDIC v. Prudential-Bache                    CFTC-89-R200         DC        F
0038    FDIC v. Shearson, et al.                    CFTC 89-R198         DC        F
0040                                                89-CV-267            CO        S
0042                                                86-0262
0043                                                87-1300-CIV-SPELLMAN
0044                                                88-0828-CIV-EPS      FL        F
0044                                                88-0828-CIV-EPS
0044    FDIC as Manager for FSLIC Fund for          88-279-CIV-J-16      FL        F
        Intercapital Savings Bank v. Dreyer and
        Traub, a partnership, et al. v. FDIC
0044    FDIC as Receiver for Intercapital           88-528-CIV-J-16      FL        F
        Savings Bank v. Fidelity & Deposit
        Company of Maryland
0044    FDIC v. Roy Norton, III, et al.             85-CIV. 8905 (MGC)   NY        F
0045                                                86-1894
0046    FDIC v. Andrew Oravel, Jr., John R.         90-591-CIV-T-108     FL        F
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File: CASE.DBF
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 FIN   CASE_NAME                                  DOCKET_NUM            COURT_ST  STATE_FED
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       Grey, Robert E. Talley, Herman C. Wood,
       William Boyle
 0048                                             86-1984               PA        F
 0061                                             87-3927
 0067                                             83C 1803
 0067                                             83C 2937
 0068  FSLIC v. I-TEX Energy Corp.                83C-3994              IL        F
 0068  FSLIC v. Ticktin                           83C-2997              IL        F
 0077                                             89C20219              IL        F
 0081  FSLIC as Receiver for Capitol Savings v.   87-92-D-2             IA        F
       McCuen, et al.
 0083                                             85-2216
 0084  Rober Comeau v. Terry Rupp; FA             CA86-1531-T           KS        F
 0085  Lincoln Federal Savings & Loan             C-86-0973-L-A         KY        F
       Association v. E.F. Hutton Co., Inc., et
       al.
 0088  FDIC v. Robert Sutherlin, John             86-1066               LA        F
       Sutherlin, Charles Goslee, Ralph Hosch
       and Aetna Casualty Ins. Company.
 0089  FSLIC v. Hague                             ADV. 88-5299          LA        F
 0089  FDIC v. Davidson, et al.                   CV-90-0715 SECTION S  LA        F
 0090  FDIC, in its corporate capacity v.         CV88-2013             LA        F
       Edmund M. Reggie, Jack R. Frank,
       Mitchell P. John, Donald E. Shelter, Jo
       Ann S.Broussard, Kenneth M. Comeaux,
       Gregory F. Reggie; Reggie, Harrington
       and Boswell a/k/a Reggie Harrington and
       Reggie, and Oscar W. Boswell, II.
 0091  FDIC v. John A. Mmahat, Mmahat & Duffy,    89-3160               LA        F
       New England Insurance Co.
 0091  FDIC v. Peter Duffy                        89-4967               LA        F
 0092  FSLIC v. Wood                              S89-0438              MS        F
 0092  FSLIC v. Raymond Talley                    89-2755               LA        F
 0093  FDIC v. Olano, et al.                      86-472 SECTION "K"    LA        F
 0093  FDIC v. Guy Olano, et at.                  85-4230 SECTION "E"   LA        F
 0095                                             87-4180-I
 0095                                             319-750
 0095                                             87-0009
 0095  FDIC v. Wendell Shelton, et al.            86-393-B              LA        F
 0095                                             89-329 MAG DIV. B
 0095                                             89-328 MAG. DIV. A
 0095                                             89-327 MAG. DIV. A
 0095
 0095
 0097  FSLIC v. John Sutherlin, Jr.               86-1089               LA        F
 0098  FSLIC v. Kevin Schoenberger                CIV 89-2756  S-L/M-2  LA        F
 0099  FDIC v. Matherne                           89-5388
 0100                                             4-83-1422
 0101  FSLIC v. Gerald A. Heldrick, Jr., Edmund   CA HM 86-77           MD        F
       A. Chrzanowski, Francis A. Korwek,
      WHERE case_close = N

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------------------------------------------------------------------------------------
       Kendall L. White, Richard M. Smith
 0102  FDIC v. David B. Roy, Thomas J.         JFM-87-1227       MD        F
       MacBride, John H. Vaner, John H.
       Garrott, Frank C. Frantz, Harvey H.
       Heyser, Jr., Sidney S. Metzner, Larry W.
       Stine, Ilga G. Patterson, Michael G.
       Callas, John T. Muskin, Irvine H.
       Rutledge, S. Thomas Stathes, Alfred S.
       Bendell, Donald W. Crawford, Patricia
       Mooney
 0102  FSLIC as receiver for First Federal of  CV-88-00873 HMF   MI        F
       Maryland, FSB and FSLIC as receiver for
       Guaranty Savings and Loan Association,
       Harrison, Arkansas v. John Child & Co.,
       Inc.
 0103
 0104                                          86-CV-73343-DT    MI        F
 0106  FDIC v. Capozzi                         86-0233-C-5                 F
 0107  FDIC v. Villard, etal.                  WC86-51-LS-O      MS        F
 0109  FDIC v. Whitehead, et al.                                 MS        F
 0110  Fulton Federal Savings Bank v. Drexel   90-255-CIV-5-H    NC        F
       Burnham Lambert Inc. v. American Bankers
       Insurance Company of Florida, Inc.
       ("Georgia case")
 0112
 0112                                          A2-86-104
 0114  FSLIC v. Greenbaum                      L-0700020-87      NJ        S
 0119  FSLIC v. Quinn, et al.                  89-CV-0098        OH        F
 0121  FDIC v. Baughner                        C2-87-800         OH        F
 0123  FDIC v. Hall, English, White, Duvall,   CIV-88-1211-A     OK        F
       Bruner, Glossman, Pryor, Hall and Hall
 0124                                          87-3927
 0124  FDIC v. Regier, Carr & Monroe, et al.   88-C-1437N        OK        F
 0126                                          87-3927                     F
 0126  Freedom Savings & Loan Association v.   CIV-87-912-R      OK        F
       First Federal Savings and Loan
       Association of Shawnee
 0126                                          CIV-88-780-A
 0127  The Federal Savings And Loan Insurance  CIV-88-1685A      OK        F
       Corporation v. Donald P. Ferguson and
       JMS and Associates
 0129  FDIC v. First Investment Securites,     LR-E-85-778       OK        F
       Inc., Michael L. Harris (also certain
       principals of First Investment
       Securities)
 0129  FDIC v. Larry Sevier, Richard L. Allen, CIV-87-2015-R     OK        F
       Robert G. Hunter, Dan D. Ramsey, Perry
       Ramsey, Edward Lee Blevins, Burton C.
       McDougal and Lonnie W. Jourdan
 0129  FDIC v. Geldermann, Inc., URIC, Inc.,   CIV-89-609-T      OK        F
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 FIN   CASE_NAME                               DOCKET_NUM            COURT_ST  STATE_FED
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       Charles Alex Denney, Arthur A. Wallace,
       Bryan Green, Gregg Crosby
 0130                                          CIV 90-162 W
 0132  FDIC v. Shearson/American Express, et   86-C-10-C             OK        F
       al.
 0133  FDIC v. FSI Futures, Inc. et al. 88 Civ 88-CIV-0906-PNL
       No. 0906
 0133
 0136                                          CIV-87-2051-T
 0136                                          89-505A                         F
 0136  Declaratory judgment action- American   CIV-89-1609-W                   F
       Casualty Co. of Reading Pennsylvania v.
       Wilkinson
 0144  FDIC, as Manager of FSLIC Resolution    86-504-JU/87-64-JU    OR        F
       Fund v. Gerald S. Rawlins; Ronald F.
       Brenneman; Patrick G. Huycke; R. Norton
       Moss; Geoffrey N. Petrie; Peter Rawlins;
       Richard Rawlins; Robert C. Robertson;
       Roberton, Huycke & Wolfe, an Oregon
       Partnership; Gene Spillum; and Paul D.
       Williams
 0144  FSLIC v. American Casualty Co. of       88-1430-JU            OR        F
       Reading, Pennsylvania
 0144  FDIC as Manager of FSLIC Resolution Fund 90-404MA             OR        F
       v. American Casualty Co. of Reading,
       Pennsylvania
 0145  FSLIC v. Thomas E. Nevis, Saundra L.    86-1436-PA            OR        F
       Nevis and Al Yarbrough
 0145  FSLIC v. Lawrence A. Waters, Whitney    86-676RE              OR        F
       Ball, T. Wiliam Bechtol, John Boock,
       Sr., R. Verne Casey, John J. Fulton,
       Thomas E. Glogau, M. Howard Harpole,
       Stephen H. Hinckley, Melvin C. Jenks,
       Ronald L. Koos, E. Joe Lantz, Clark E.
       Lindsay, Jr., Lang, Delapoer, Koos &
       Healy, P.C., an Oregon professional
       corporation, James H. McClain, Robert O.
       McWhorter, William Mikkelson, Brian J.
       Olevik, Donald L. Phillips, Daniel A.
       Post, Gene L. Smiley, Jimmie C. Taylor,
       Russell W. Tripp, Irene O. Weatherford,
       and Warner, Phillips & Co., P.C., an
       Oregon professional corporation
 0145  FSLIC v. American Casualty Co. of       87-1025RE             OR        F
       Reading, Pennsylvania
 0145  FSLIC v. Jacqueline Olmstead-Franks, et 86-1390RE             OR        F
       al.
 0145  FSLIC v. James H. Jordan                86-1205RE             OR        F
 0147  FSLIC v. Shearson-American Express,     84-0758(RLA)          PR        F
       Inc.; Shearson-American Express de
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File: CASE.DBF
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 FIN   CASE_NAME                                   DOCKET_NUM         COURT_ST  STATE_FED
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       Puerto Rico, Inc.; Miguel
       Serrano-Arreche; Ponce M.A. Developers
       Inc.; Juan Luis Boscio; Owen Beverage;
       and North-American International.
 0147
 0149  FSLIC v. David Taylor III                   3-87-41            TN        F
 0150  FSLIC v. Sam J. Lewis, Jr., John            86-1199            TN        F
       Bodziak, Gary Chaffin
 0155  In re Arnold Tackett & Sarah Tackett        1-84-00241         TN        F
 0156  Lamar Savings Association v. Stanley E.     A-88-CA-183        TX        F
       Adams, et al.
 0157  FDIC v. Laurence Vineyard, Donald           CA3-88-130-G       TX        F
       Rector, Henry DeBerry, Raymond Martin
 0158
 0158
 0158  FDIC v. Cheng, et al.                       3-90-0353-H        F
 0159  FSLIC v. Crowe, et al.                      CA3-86-3166-T      TX        F
 0159  FDIC v. Tom Gaubert, et al.                 CA3-90-1196-G      TX        F
 0160
 0162  FDIC v. Melcher, Hilling, Hilling,          3-85-1817-F        TX        F
       Neubauer, Neubauer, Gist, Grey, Grey and
       Schulz
 0162  FDIC v. U.S. Fire Insurance Co.             3-87-2923-T        TX        F
 0163  FDIC v. Jones Howse, Leonard Orsonsky,      H-89-1908          TX        F
       Alan Gaylor, Everett Mattson, Marion
       Rosen, Arnold Rudolph, Marilee Aron
       Weiner (Independent Executrix of the
       Estate of Irving Weiner), Walter Wright,
       Gertrude Yang, Baker, Brown, Sharman &
       Parker, a law partnership composed of
       individuals and professional
       corporations, John A. Adkins, an
       individual, Roxanne Armstrong, a
       professional corporation and an
       individual, Rex G. Baker III, an
       individual, J. Michael Bell, a
       professional corporation and an
       individual, Stephen M. Block, a
       professional corporation and an
       individual, Timothy R. Brown, a
       professional corporation and an
       individual, E. Blake Hawk, a
       professional corporation and an
       individual, Roger C. Jackson, an
       individual, Daniel H. Johnson, Jr., a
       professional corporation and an
       individual, Robert S. MacIntyre, Jr., an
       individual, Jerry L. Metcalf, an
       individual, John S. Urton, a
       professional corporation and an
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 FIN    CASE_NAME                                   DOCKET_NUM            COURT_ST  STATE_FED
----------------------------------------------------------------------------------------------
        individual, Dallas Parker, an
        individual, Robert L. Pittsford, an
        individual, Cathryn L. Porter, a
        professional corporation and an
        individual, Charles D. Powell, a
        professional corporation and an
        individual, David M. Robins, a
        professional corporation and an
        individual, John L. Sherman, an
        individual, Robert C. Walker, an
        individual, and Daniel W. Woods, a
        professional corporation and an
        individual
 0165                                               CA3-88-2164-G
 0166   FSLIC v. J.B. Haralson                      H-89-798              TX        F
 0156   FDIC v. Greenstein, Logan & Company         H-89-3092             TX        F
 0166   FDIC v. George Aubin                        H-87-3352             TX        F
 0166   Wichita Land & Cattle Co. v. AFB            A-89-CA-1037          TX        F
 0167                                               87-8384-D
 0167   Bell Savings Banc v. Paul Arlin Jensen      105,204-C             S
 0168   FDIC v. D.L. Faulkner                       CA3-85-2360-T                   F
 0168                                                                               F
 0169                                               CA-2-870239           TX        F
 0169                                               CA-2-870239
 0175   FDIC v. Marshall, et al.                    A-89-CA-100           TX        F
 0176   FDIC v. Wiley                               CA5-89-0026           TX        F
 0180   FDIC v. Davis, Horton, Tokoly, Ormesher,    CA-3-89-2155-H        TX        F
        Elliston & Schick
 0180   FDIC v. Carrico                             CA-3-90-0212-R        TX        F
 0180   FDIC v. Ernst & Young and Arthur Young      CA-3-90-0490-H        TX        F
        and Co.
 0180   FDIC v. Vaughn, Hightower & Lynn            CA-3-90-1282-D        TX        F
 0180   FDIC v. R. William Futch and Chicago        89-120-CIV-OC-12      FL        F
        Title Insurance Co.
 0184   FDIC v. Edwin T. McBirney, III, et al.      87-3927
 0184                                               3-89-2295-R
 0185                                               CA-3-88-130-C         TX        F
 0202   ALX El Dorado, Inc., et al. vs.             C.A. NO. 87-3973      TX        F
        Southwest Savings And Loan Association
 0220   Mountainwest S&LA v. Blair F.  Hadley.      C88-04212             UT        S
 0221   FSLIC v. Robert Bucata, Gary L. Ritter,     CV86-3445-JGD (TX)    CA        F
        Patricia Thibeault, Omni Plus
        Corporation, Capital Properties, DCB
        Properties, Inc., Capital Star
        Petroleum, Pacifica, Real Estate
        Mortgage Corporation dba Keystone
        Financial, Inc., Shearson/American
        Express Escrow Company, Stewart Title
        Guaranty Company, Lado Financial
        Corporation, Marvin Gabler, Lee Dodson,
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FIN	CASE_NAME	DOCKET_NUM	COURT_ST	STATE_FED
	Ginther Wycoff Residential Group, Thomas G. Rife, Urban Pacific Management, Charles W. La Flamme, Anderson, Alford & Ritter, Albert W. Anderson, Roger A. Alford, Perce Young, Ronald Bruneck			
0221	FDIC v. J. William Oldenburg, et al.	C-85-1418W	UT	F
0223	FDIC v. Edwin Cleigh Armbrister, et al,	88-0081R	VA	F
0223	FDIC v. P. Wesley Hembrick, et al.	CIV-90-0211	VA	
0225	FSLIC v. J. Perrin Cornell and The Marital Community composed of J. Perrin Cornell and Diane R. Cornell.	C-89-019-AAM	WA	F
0233	FDIC AS Receiver v. Don Davis	CV 87-0312-J	WY	F
10004	American Banc Savings Association v. U.S. Fire Insurance Co.	40,544	TX	S
11111				
1123	FDIC v. Catherine L. Dempster, Tommy W. Flenniken, Alpha Patrick, Jack Patrick, Harry J. Thayer, Jr., Joseph H. Adams, Jr., Charles Watson, William A. Fortune, B. Ray Thompson, Sr., David W. Elrod, Lester Michael Oakes, Edward C. Browder, Litton Cochran, James E. Gettys, Ira V. Ley, Jr., Harry M. Macey, Jr., Charles A. Terrell, Donald H. Tucker, Thomas R. Bell, Herbert M. Richardson, Jr., Ann M. Sherbakoff, Alvin Underwood, Lindsey Young, Kenneth C. Heinken, Jr., William F. Regas, Ted E. Russell, C.H. Butcher, Sr., James P. Roddy, III, C. Ray Ward, Robert L. Woodson, Jr., Joseph S. Goodstein, Thomas Sudman, H. Pat Wood, Fred Langley	3-84-327	TN	F
~~1123~~	National Union Fire Insurance Company of Pittsburgh, PA., v. Federal Deposit Insurance Corporation, Receiver; Recil H. Butcher, Sr.; Thomas E. Sudman; Charles R. Watson, Jr.; Thomas R. Bell; Edward C. Browder; Litton T. Cochran; William A. Fortune; James E. Gettys; Joseph S. Goodstein; J. Franklin Holmes; Ira V. Ley, Jr.; Kenneth C. Heinken, Jr.; Harry M. Macey, Jr.; William F. Regas; HErbert M. Richardson, Jr.; Ted Russell; Ann M. Sherbakoff; Charles A. Terrell; B. Ray Thompson, Sr.; Donald H. Tucker; Alvin A. Underwood; J.D. Wallace; Ray Ward; H. Pat Wood; Robert L. Woodson, Jr.; Lindsay Young; Joseph H. Adams; Jr. Catherine L. Dempster; Tommy W. Flenniken; Alpha Patrick; Harry	87245	TN	

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 FIN    CASE_NAME                                   DOCKET_NUM           COURT_ST  STATE_FED
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        J. Thayer, Jr.; David W. Elrod; Lester
        Michael Oakes; Jack N. Patrick; Fred R.
        Langley; James P. Roddy, III; and C.H.
        Butcher, Jr.; and Jacob Franklin Butcher
 20006  First Dakota National Bank v. St. Paul                           SD        S
        Fre Marine Ins. Co.
 2320   FDIC v. Cladwell
 2347   FDIC v. Frank A. Woods, Ronald Bledsoe,     CIV-3-85-0644        TN        F
        John D. Brown, C.H. Butcher, Jr., Henry
        R. Cannon, G. William Coble, George W.
        Crook, Frank Davis, Webb Follin, Homer
        Gibbs, Jr., Frank St. Charles, Ronald F.
        Martin, George B. Shaw, John Gregory,
        Alan Haefele, Charles E. Holt, Finis
        Nelson, Jack Norman, Jr., Wayne Oldham,
        James R. Pickel, Jr., Frances Preston,
        Jerry Mason, Harold Shankle
 2347   Employers Insurance of Wausau v. FDIC,      3-85-0445            TN        F
        George W. Crook, Frank C. Davis Jr.,
        James R. Pickel, Jr., Frank A. Woods,
        Finis L. Nelson, G. Webb Follin, Jack
        Norman, Jr., Henry R. Cannon, J. Harold
        Shankle, R. Wayne Oldham, G. William
        Coble, Frances Preston, Homer B. Gibbs,
        Ronald L. Bledsoe, Charles E. Holt
 2347   FDIC v. Aetna                               89-5866              TN        F
 2348   FDIC v. Aetna
 2355   FDIC v. Aetna                               2-85-544             TN        F
 2355   FDIC v. Ernst & Whinney                     3-87-366             TN        F
 2357   FDIC v. Yoder                               86-3189                        F
 2358   FDIC v. Aetna                               2-85-797             TN        F
 2369   FDIC v. St. Paul Fire & Marine Ins. Co.     3-86-0346-N          TN        F
 2376                                               87-206PA
 2378   FDIC v. Pearce et al                        G-81-866-CA7         MI        F
 2378                                               G81-866/709-CA7
 2378                                               G88-76-CA7
 2381                                               IP-87-4160
 2381                                               IP-87-745C
 2381   FDIC v. Anderson, et al. (dec action)       IP86-5C              IN        F
 2386   FDIC v. Denson, Anderson, Chotard,          J87-0264L            MI        F
        Brannen, Breland, Wise, Rogers, Meiners,
        Sheppard, Burns, Fortune, Harris,
        Kabbes, Riddell, Wohner, Bozeman,
        Letterhos, & McMullen.
 2386   International Insurance Co. v. McMullen,    J86-0760(W)          MI        F
        Allen, Bailey, Bozeman, Breland, Clancy,
        Crell, Denson, Edmonds, Warren, Harrell,
        Harris, Letterhos, Lamb, Sheppard,
        Rogers, Riddell, Perry, Messer, Meiners,
        Mclaurin, McKenzie, Barron, Yancie,
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        Wise, Wohner.
 2386   Crocker and Crocker individually and on    J84-0603(B)           MI        F
        behalf of all other shareholders v.
        McMullen, Clancy, Denson, McMullen,
        Burns, Wise, and John Doe(s).
 2386   In Re:  W. P. "Pat" McMullen, Jr. (FDIC    8500822JC             MI        F
        v. McMullen, Adv. No. 860038JC).
 2397   FDIC v. Christenson                        CIV-C-85-4217         IA        F
 2397                                              C86-4018
 2403   FDIC v. The American Insurance Company     CIV86-266             AR        S
 2411   The Royal Bank of Canada & Continental     9587/86                         F
        Illinois Bank (Canada) v. Arthur
        Anderson & Co.
 2411   FDIC v. Main Hurdman                       S-85-552-LLK          LA        F
 2412   FDIC v. Clark Compton, Walter Sands,       87-6413-E             OR        F
        Stephen Bennett, Donald Bumgarner, Emmet
        Egbert, Lawrence Hughes, H. Dan Luby,
        Norval Ritchey, Faye Rookhard.
 2445   FDIC v. St. Paul Fire Insr. Co.            C874097               IG        F
 2448   FDIC v. Michael Kelly                      87-679-A              IA        F
 2450   FDIC v. Francis A. Brumley                 CV-F-86-324EDP        CA        F
 2450
 2453   FDIC v. Joseph P. Munger, et al.           87-06795 TJH          CA        F
 2462   FDIC v. Roy A. Sweet                       88-257-A              IA        F
 2463   FDIC v. John T. Pappas                     88-839-R              OK        F
 2463   FDIC v. Juanita Griffith, et al.           CIV-90-748-P          OK        F
 2474   FDIC v. W.L. "Jerry" McClain, Richard C.   CIV-88-1063A          OK        F
        Davis, Robert L. Davis, Bill J. Eddy,
        Raymond Gary, B.R. Hartgrove, Howard
        Howell, Joseph W. Kell, Stacy B. Nash,
        Ross Ralph
 2480   FDIC v. Vernon E. Whisler, Warren W.       88-0104-C             MO        F
        Drey, Glenn R. Duncan, Jr., Donald D.
        Folks, Erwin T. Staton, John W. Hupman
 2482   FDIC v. William Bolton                     C88-0206-K            WY        F
 2490   FDIC v. Barker, Gary Barker, Gary          CIV-88-1359-R         OK        F
        Koelsch, Porter, Lee, Nelson, Padgam,
        Porter
 2490   Gary, Barker, Gary, Nelson, & Padgern v.   89-1178-R             OK        F
        American Casualty Co. of Reading, PA.
 2495                                              88-1021-JC
 2495                                              87-1255-M
 2495                                              841329/85-1063/1636/
 2497                                              88-1019JP
 2499   FDIC v. Harris, et al.                     5-88-153-CA           TX        F
 2500   FDIC v. Kyriakides, Pujols, Milian &       87-1425-CIV-NESBITT   FL        F
        Winters
 2503   FDIC v. McIlvaine                          C88-0298-J            WY        F
 2504   FDIC v. Douglas Dannen, Benton O'Neal,     88-6145-CV-SJ-6       MO        F
        W. Dale Maudlin, Roger Hegarty.
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2507	FDIC v. Wheat & Sudderth	CA-6-88-27E	TX	F
2510	FDIC v. Donald Kelly	C88-4127		
2511	FDIC v. Glen B. Clark, Jr., Hamilton Myer, Swanson, Faatz, Clark, Robert K. Swanson	88-647	CO	F
2513	FDIC v. Donald Crook, Bob Fairchilds, Firman G. La Pori, Jr., William Howard, Dole Angeli, Arthur Duck, Edwin Lehr, Jr. Frank E. Nadonley, Lou BEth Menzih, and Dennis Albright.	H-88-3883	TX	F
2518				
2519	FDIC v. Forde et al.	88-6908-WMB(TX)	CA	F
2519	Forde v. International Insurance Co.	C593596	CA	F
2522	FDIC v. Peckham	88-1022JB2	NM	F
2529	FDIC v. David C. Lensing, Michael H. Lensing, George S. Lensing, Thomas E. Hankins, King B. Trieschman, F.E. Terral, Steve K. Cheek, Sr., Michael Brown, Bernard Rosenzweig, Joseph H. Le Beau III, and Lensing, Gravel & Rosenzweig	89-0013	LA	F
2531	FDIC v. Richard Paul	89-C-0065-G	UT	F
2536	FDIC v. John E. Kearney et al.	87-1898-CIV-T-13A	FL	F
2536	Lincoln National Pension et al. v.	86-334-CIV-T-17	FL	F
2536	FDIC v. AETNA Casualty & Surety Co. v. Dwight A. Brown et al.	88-1862-CIV-T-10C	FL	F
2536	FDIC v. Cherry, Bekaert & Holland et al.	88-1147-CIV-T-15C	FL	F
2540	FDIC v. Robert Holmes	CA5-89-62-C	TX	F
2540	FDIC v. Transamerica Ins. Co. of Texas v. Robert Holmes and Ronald Stokes	CA3-88-0007-T	TX	F
2541		C88-3106		
2545	FDIC v. St. Paul and Marine Insurance Co.	89-C-1016J	UT	F
2545	FDIC v. James W. Brown	89-MC-0030-G	UT	F
2547		88-1020H		
2548	FDIC v. Employer's Mutual Casualty	C 88-1030	IA	F
2549	FDIC v. Barham, et al.	CA 89-0776	LA	F
2551	FDIC v. John A. Bodziak, Robert E. Duncan, Sam Murrell, A. Razzak Tai, Same E. Murrell, Jr., consolidated with American Casualty Co. of Reading, Pa. v. FDIC, John a. Bodziak, Jr., A. Razzak Tai, Same E. Murrell, Jr., and Robert E. Duncan, U.S.D.C., M.D., Orl. Div., No. 88-1064-CIV-ORL-19, filed November 23, 1988.	89-338-CIV-ORL-18	FL	F
2552	FDIC v. Holmes	CA3-89-10250		
2555	FDIC v. William Burrell, et al	86-357-E	IA	F
2556	FDIC v. Behnker, Abercrombie, Pitman, Thomas, Rabinowitz, Brumbaugh and Sweet.	88-C-452-C	OK	F

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2558	FDIC v. Broadhead.	7-800	ID	S
2561	FDIC v. Aderhold	H-89-098	TX	F
2561	FDIC v. Aderhold, et al.	H-89-090	TX	F
2566	FDIC v. Alley, Balcom, Beasley, Beebe, Bond, Brown, Burdine, Doxey, Dunnam, Graham, Hurley, Kelly, Kennedy, Logan, Lynn, McKigney, Myers, Montgomery, O'Dorm, Pope, Waggoner, National Fire Union.	CV88-3161	LA	F
2566	FDIC v. National Union Fire Insurance Co.	CV89-0273	LA	F
2567	FDIC v. Gus Mijalis, et al.	CV-89-1316	LA	F
2578		88-1018H		
2579	Central National Ins. Co. of Omaha v. Farmers Banccorporation; Bill Y. Walker; Ferd Wright; Larry James, Gary Carlton, and FDIC=defendant, counter-plaintiff, and cross-plaintiff v. Bill Y. Walker-cross-defendant.	88-2280HA	TN	F
2585	FDIC v. Huckfelt	CIV-89-0-497	NE	F
2588	FDIC v. American Casualty	C87-3168	IA	F
2589	FDIC v. Cothrum	CA3-87-2825-D	TX	F
2590	FDIC v. W.E. Oakes et al.	89-2261-5	KS	F
2597	FDIC v. Brown J. Akin Jr., Paul W. Anderson Jr., Orville J. Bertalot, Harold J. Born, B. Richard Degen, William J. DOyle, Jr., Hal W. Oswalt, Dr. Horace H. Porter, William W. Ramsey, Edward B. Wilcox, Altus E. Wilder III, Richard Williford and Larry Young.	87-C-950-CO	OK	F
2602	FDIC v. American Casualty Insurance Co. and 15 officers and directors of American Bank.	CV89-2222(SEC. 0)	LA	F
2616	Kelly v. Orange Bancorp.	C89-1796WHO	CA	F
2619	FDIC v. Hilger, Sr.	CIVS 89-0337	CA	F
2623	FDIC v. Herrick	3-88-506	MN	F
2631	FDIC v. Armstrong, et al.	CIV-90-0027W	OK	F
2632	FDIC v. Grove, et al.	88-1140	IL	F
2634		CIV-89-883A	OK	F
2638	FDIC v. Arnold Atkinson et al.	L88-0059	IN	F
2640	FDIC v. John L. West, Robert D. Adams, Jackie Prale, L. Glenn Hall, T. Cox, R. Montgomery, B. Mosler, C. Spears, J. Matthews, James Pinero, Blanche Davis, Joseph V. Turner	H-89-862	TX	F
2649	FDIC v. Arceneaux	CV-89-2576	LA	F
2660	FDIC v. Martin Balk	EP 90 CA 96	TX	F
2662	FDIC v. Morrison G. Tucker et al.	CIV-90-435-B	OK	F
2667	FDIC v. Linwood Brown et al.	L89-0043	IN	F

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 2676  FDIC v. Wallace Woolsey, Richard Stolh,     90-C-329            UT        F
       G.Dwaine Orton, Rodger Allen, Norman
       Day, Elmer Lowe, James Mercer, David
       Robinson, Frankie Lou Bentley, Moroni
       Sanders, American Casualty Col. of
       Reading, PA, & MGIC Indemnity Corp.
 2676  FDIC v. Tebbe, Smith                        87-C-1102S          UT        F
 2685  FDIC v. American Casualty Co.               90-0781             LA        F
 2696  FDIC v. Thomas R. Conner, Thomas K.         H-89-042            TX        F
       Dreessen, Stan Goss, A. Gary Kovacs,
       David W. McKinney, Duke R. Moreland,
       Roger Mott, & Kenneth G. Trauech.
 2696  F&D v. Thomas R. Conner and FDIC,           H-89-0872           TX        F
       intervening defendant.
 2715  FDIC v. Farris                              CIV-88-2289-A       OK        F
 2720  FDIC v. A.D. Black et al.                                       OK
·2727  FDIC v. Landry and American Casualty        89-2227-SEOL        LA        F
 2727  FDIC v. Firemans Ins. Co.                                       LA        F
 2727  FDIC v. Tidwell & Associates                                    LA        F
 2731  FDIC v. Moore                               89-4807 AUT EX      CA        F
 2740  FDIC v. L.L. Grissom, Jack Kassahn, Jane    CA-5-88-0134W       TX        F
       Kassahn, Jim S. Kassahn, Paula Kassahn,
       Stephen W. Sherrill, Robert E. Wilson,
       Parmer County Financial Corp.
 2740  Texas Pacific Indemnity Co. v. FDIC,        CA5-90-0005         TX        F
       Leonard L. Grissom, Jack L. Kassahn,
       Jane Kassahn, Jim S. Kassahn, Paula
       Kassahn, Steven W. Sherrill & Robert E.
       Wilson.
 2744  FDIC v. Fidelity & Deposit Company of       87-319              LA        F
       Maryland.
 2746                                                                  CO        F
 2759  FDIC v. Don Farris                          CIV-88-2289A        KY        F
 2766  FDIC v. Miller et al., American Casualty    A88-281 CIV         AK        F
       v. FDIC et al., Miller v. CNA et al.
 2766  Swelling v. American Casualty  of           3AN-90-790-CIV      AK        S
       Reading.
 2766  American Casualty Co. of Reading PA. v.     A90-028CIV          AK        F
       FDIC et al.
 2776  Succession of E. Newton Wray                350249              LA        S
 2825  FDIC v. Lloyd's U.S.                        3-88-1584-R         TX        F
 2837  FDIC v. Bancinsure, Inc.                    CIV-89-1536-W       OK        F
 2888  FDIC v. Alaska Continental Bancorp et       A89-182-CIV         AK        F
       al.
 2919  FDIC v. Kansas Banker's Surety Co.          90-C-101-B          OK        F
 2944  FDIC v. Commercial Insurance Co. of         P-89-48CA           TX        F
       Newark, New Jersey
 2946  FDIC v. Knocrzer                            389-3349 .          TX        F
 2956  need case name-                             82-0269             LA        F
 2958  FDIC v. Progressive Casualty Insurance      3-90-0019-7         TX        F
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        Company
 30005  Lincoln Federal Savings & Loan                   CA-87-2107(CSF)      NJ        F
        Association v. Thompson McKinnon
        Securities, Inc.
 30008  FDIC, as Manager of FSLIC Resolution             3-88-1315-T          TX        F
        Fund v. Stewart Title Guaranty Co. and
        Marvin Lewis
 30008  FSLIC as Receiver for Frontier v. Ticor          3-88-0308-D          TX        F
        Title Insurance Co. of California,
        Chicago Title Insurance Co., Michael
        Grossman and Tone Abstract Co.
 30008  FDIC, as Manager of FSLIC Resolution             3-88-1823-R          TX        F
        Fund v. North Texas Appraisal Group,
        Inc. and The South Central Appraisal
        Group, Inc.
 30008  Robert A. Brandt, Debtor                         388-35449-RCM-13     TX        F
.30008  FDIC, as Manager of FSLIC Resolution             88-0804-2            MA
        Fund, statutory successor to FSLIC in
        its corporate capacity v. Pomeroy
        Appraisal Associates and Richard Kelley
 30008  FDIC, as manager of FSLIC Resolution             CA-88-1317           PA
        Fund, statutory successor to FSLIC in
        its corporate capacity v. Mellon Bank,
        N.A.
 30014  FSLIC v. Bitticks & Co.                          C-88-3756-WWS        CA        F
 30014  FSLIC v. John Zandstra; Robert                   C-88-3757-WWS        CA        F
        Sederstrom, Jr.; and Richard Webster
 30014  FSLIC v. Fidelity & Deposit Co. of               C-88-3755-WWS        CA        F
        Maryland
 30014  FSLIC v. Lokelani Construction Co. and           88-00699-HMF         HI        F
        John Zandstra
 30018  FDIC v. Beide                                    CA-3-88-1409H        TX        F
 30024  Settlement documents being drafted.              H-89-3092            TX        F
 30024  FSLIC v. J.B. Haralson                           H-89-798             TX        F

        -action stayed until other related
        litigation is resolved.
        -Aubin a principal in this cause of
        action was granted an extension of time
        to seek new counsel.
 30024  Depositions scheduled.                           H-87-3352            TX        F
 30024  Wichita Land & Cattle Co. v. AFB                 A-89-CA-1037         TX        F
 30026  FDIC v. Woo                                      CA3-89-0211-C        TX        F
 30027  FDIC v. Deloitte, Haskins & Sells                C-90-520             AR        F
 30032  FDIC v. Gaynor                                   86-16432             FL        S
 30034
 30042  FDIC v. Texas Real Estate Counselors,            A-88-CA-947          F
        CIV. Action No. A-88-CA-947 (W.D. Texas)
 3950   FDIC v. Charles Canfield, Benjamin               90C-5418             UT        F
        Armstrong, Theodore Hay, Howell Parkin,
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       Mac Christiansen, Richard A.
       Christiansen, Dale Curtis, Marilyn
       Dahlstrom, Frank Diston, Robert Garrf,
       Lee Irvine, Ellis Ivory, Arch Madsen,
       Gus Pauloe, Aline Skaggs, Ronald
       Swenson, Harold Milner, Ernest
       Wilkinson, John A. Dahlstrom
 3950  FDIC v. John A. Dahlstrom and Marilyn       90PC-0389             UT        F
       Dahlstrom
 4137  First American Bank and Trust, by J.H.      88-0638CIV HOEVELER   FL        F
       Levit suing derivatively on behalf of
       himself and all others similarly
       situated v. Arthur I. Frogel, Edward W.
       Lammi, E.M. Elssey, JOhn P. Linstroth,
       A.J. Gluckstern, Shannon R. Ginnig, S.B.
       Brenner, Thomas G. Anderson, Glenn C.
       Peter, Roy W. Talmo, Donald P.
       Crivellone, E.J. Kendall, Jr., Donald H.
       Reed, Jr., and Richard Siemens.
 5464                                              CA5-87-043
 5464                                              CA5-86-314-K
 5464                                              CA5-86-67
 5468                                              CA5-87-071
 5476                                              CA5-87-098
 5636                                              88-15629              TX        F
 5636                                              CA-88-1642
 5636                                              88-17207
 5636                                              88-14409
 5638  FDIC v. Bruce A. Bryan and Robert Bryan     CIV-85-1627-T         OK        F
 5638  American Casualty Company of Reading, PA    CIV 88-1015R          OK        F
       v. F&M Bancshares, et al.
 5744  FDIC v. Woodworth                           -0015                 WY        F
 5757  FDIC v. Dennis A. Dyke et al.               SA CV88-581-5SL RWRX  CA        F
 5757  Hort v. Sims                                SACN89-260JSL(RWRX)   CA        F
 5795  FDIC v. Edward J. Toore; David G. Toore     89-3015-MC            MA        F
       & Worcester County Institution for
       Savings
 5821  FDIC v. Gordinier et al.                    3-89CV24              MN        F
 5821  Pflugerville Investments, Inc. vs.          413,764               TX        S
       Charles E. Pircher

       Lee Savings vs. North Central National
       Bank
 5851  Pflugerville Investments, Inc. vs.          413,764               TX        S
       Charles E. Pircher
       Lee Savings vs. North Central National
       Bank
 5866  FDIC v. Rockleigh S. Dawson, Jr., et al.    H-90-1120             TX        F
 5867  FDIC v. John Riddle                         89-0306               TX        F
 5891  FDIC v. William Ziegler, Marcia             CV-86-2780AHS         CA        F
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        Utterback, Jacob Rubenstein, Robert
        Victor, Ray Nehdar.
 5902   FDIC v. KBS                                89-1340-D             OK         F
 5903   FDIC v KBS                                 89-1340-A             OK         F
 5906   FDIC v. Bradley Noll                       89-2474S              KS         F
 5907   FDIC v. Noll                               89-24735              KS         F
 5909   St. Paul Fire & Marine v. FDIC             3-89-326              MN         F
 5920   FDIC v. F&D                                                      TX         F
 5925   Howard v. Trust Bank                                             FL         F
 5937   FDIC v. Gregory                            88-CV-3326            CO         F
 5969   FDIC v. F. Larry McLeod                    H-88-4183             TX         F
 5962   FDIC v. NorthRiver, St. Paul, Craig        CA3-89-2318-F         TX         F
        Thimson, Don Earney & Kathy Kiser.
 5973   FDIC v. C. Zimmer                          CV90-0488 M
 5973   FDIC v. Bernstein et al.                   CV89-2080             NY         F
 6465   FDIC v. Antoyan, Bozigian, Patty,          45389                 CA         S
        Seevig, Thompson, Marconi, Hoyt, Hughes,
        Johnson, Kistinger, Palogyi, Orange
        Coast S&L.
 6471   FDIC v. Warren Barr et al.                 88L-11149             IL         S
 6473   FDIC v. Antin, et al.                      C-5446-856            CA         F
 6602   FDIC v. Kee                                86-C-175              KS         F
 6626   FDIC v. John T. Pappas                     24058                 WY         S
 6626   FDIC v. U.S. Fidelity & Guaranty Co.       C421-11-89            WY         S
 6626   Home Ins. Co & City Insurance Co. v.       C89-230J              WY         F
        Pappas
 6657   FDIC v. James B. McDonald                  51-40-50              CA         F
 6707   FDIC v. Alan Kirchner                      89-CV89               WI         S
 6743   FDIC v. Bowen                              88-CV-16746           CO         S
 6743   FDIC v. American Casualty Co.                                    CO         F
 6796                                              CA-1986-A             CA         S
 6796   FDIC v. Wayne W. Wederking                 16592                 CA         S
 6843   FDIC v. John F. Kamman                     36C01-8904-CP-30      IN         S
 6843   FDIC v. Fidelity & Deposit Co. of                                IN
        Maryland
 6852   FDIC v. John W. Lowe & John W. Lowe, and   90-C-388W             UT         F
        R. Clark Arnold, former d/b/a Lowe &
        Arnold.
 6896   FDIC v. John Hudson et al                  CJ88-8115             OK         S
 6934   RTC as conservator for Signal S&LA v.      89-1425               CA         F
        Robert J. Herrera [D]; Rodney Thompson
        [DO]; Gary Milligan [DO]; Norma Kanzler
        [DO]; Darlene Sue Ward [DO]; United
        Security Mortgage Corp., a Maryland
        Corp. [X]; SMB Financial, Inc., a
        California Corp. [X]; Mark C. Glenn [X];
        and Mannat, Phelps, Ruthenberg, Tunney &
        Phillips, a general partnership [L]
 6940   RTC as conservator for Pacific SB v. Joe   SA CV-89-386 AHS RW   CA         F
        G. Baker [DO]; Verne F. Potter [DO];
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	William E. Leonard [DO]; James C. Roberts [D]; Frank Purcell Jr. [D]; Joe Sax [D]; Ernest W. Baker [D]; John E. Egdahl [D]; Peter T. Fletcher [D]; Harold Harris Jr. [D]; Walker L. Huckabey [D]; Joe D. McCarthy [D]; H. Cedric Roberts [D]; Bernard Baker [DO]; Bruce A. Kehrli [DO]; James Stroffe [DO] and Franklin D. Hatridge [DO]			
6940	American Casualty [I] v. Baker [DO] and RTC (Intervener)	SACV90-125-JSL(RWRX)	CA	F
6945	William H. Alford [D], George D. Taylor [D], William O. Sweeny, Jr. [D], Mark C. Garner [D], Cephus Long [D] v. FDIC (on behalf of Park Bank)	4:89-2790	SC	F
6952	RTC as conservator for Bright Banc, SA v. U.S. Fire Ins. Co.	CA3-8-0116-F	TX	F
6957	RTC as conservator for Community S&LA v. Insurance Co. of Evanston and Frisch, Dudek, ltd.	89-C-1456	WI	F
7031	RTC as conservator for Concordia v. Guerrera [DO]	564644X570865	CA	S
7088	RTC as conservator for Landmark v. William T. Couch [D]; Conway T. Carrigan [D]; Clarence W. Jordan [D]; Carl L. Johnson [D]; Michael C. Glass [DO]; Jerry Wayne Lucus [O] and James W. Gray [D]	90-6003	AR	F
7101	In re Siegle [X]	SA-90-03223JW	CA	F
7521	FDIC v. Aetna	CV-87-147-M-CCL	MT	F
7547	FSLIC v. Welba Lee Koetch	387-3957		
7547	FSLIC v. W.P. Barlow, Jr.	388-31141-SAF-11		
7582	William H. Walker; Thomas B. Walker; Kenneth H. Walker; Thomas B. Baggert v. FDIC; H. Jack Lissenden; Mayo C. Harlow III; Donald K. Spriggs; Otis L. Brown; John McLaren; Gary, Stoach, Wall & Co., P.C.	89-004880-R	VA	F
7619	FSLIC v. The North River Insurance Company, et al.	87CIV-0543 (JBW)	NY	F
7619	Flushing Federal Savings & Loan Association v. The Aetna Casualty and Surety Company	86CIV-1325 (JBW)	NY	F
7619	FSLIC v. Carl Cardascia, et al.	87CIV002(JBW)	NY	F
8029	FDIC v. Paul F. Farris, Monte Rusk, Clayton Emry & Mark Turner.	C-89-435-JLG	WA	F
8044				
[illegible]206	RTC as Conservator for Imperial Savings v. Ernst & Whinney	90-0374-JLI (IEG)	CA	F
8206	RTC as conservator for Imperial SA v.	89-0207-K	CA	F

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 FIN   CASE_NAME                                  DOCKET_NUM        COURT_ST  STATE_FED
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       Mabon, Nugent & Co.
 8224  RTC as conservator for Great American      90-C-1939         IL        F
       FS&LA v. Aetna
 8229  Max Ackerman [X], J. Grover [X], L.        CC90-0850         FL        F
       Rosenblum [X] v. David L. Paul [DO],
       Catherine H. Fahringer [O], Perry J.
       Snyderman [O], Peter K. Moser [O],
       Deloitte, Haskins & Sells [T], Michael
       Cook [T], Henry Forer [T], Ferdinand
       Meeb [T], Sherrill Hidson [T] and John
       Does One to Five Hundred [T].



 8229  RTC as conservator for Centrust Bank v.                      IL        F
       Western Union and Drexel, Burnham,
       Lambert
 8229  Max Ackerman [X], Jack Grove [X], Lewis    CIV 90-850        FL        F
       C. Rosenblum [X] as Trustee for Frances
       Rosenblum [X] and Sandy Weissberg [X] v.
       David Paul [DO], Catherine H. Fahringer
       [O], Perry J. Snyderman [O], Peter K.
       Moser [O], Deloitte, Haskins & Sells
       [T], Michael Cook [T], Henry Forer [T],
       Ferdinand Meeb [T], Sherrill Hudson [T]
       and John Does One to Five Hundred [T].
 8229  Myers [X] v. RTC as conservator for        CL-89-8134-AO     FL        F
       Centrust Bank
 8229  Centrust by Donald Myers v. David Paul
       [DO], Angel Cortina, Jr. [DO], Walter D.
       Sheely, III [DO], Edward D.G. Davies
       [D], Catherine Fahringer [D], Thelma V.
       A. Gibson [D]
       Richard H. Judy [D], David Kunstler [D],
       Earl Linch [D], Peter K. Moser [D],
       Barry Swartz [D], and J.W. Weiss [D].
 8229  Centrust by Donald Meyers v. David Paul    CL-89-8134-AO     FL        F
       [DO], Angel Cortina, Jr. [DO], Walter D.
       Sheely, III [DO], Edward D.G. Davies[D],
       Catherine Fahringer [D], Thelma V. A.
       Gibson [D], Richard H.
       Judy [D], David Kuntsler [D], Earl Linch
       [D], Peter K. Moser
       [D], Barry Swartz [D], Perry J. Snyder
       [D], and J>W> Weiss [D].
 8236  RTC as Conservator for ABQ Bank, a FSB     CIV 89-1355 JC    NM        F
       v. American Casualty Co.
 8274  RTC AS CONSERVATOR FOR PEOPLES FEDERAL     90-C-221-B        OK        F
       S&L vs. TOUCHE ROSS & CO. AND ROBERT S.
       MORGAN
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FIN	CASE_NAME	DOCKET_NUM	COURT_ST	STATE_FED
8313	RTC v. Frost & Company	LR-C-89-216	AR	F
8324	Founders S&LA v. Anthony Essex (O).	C 580294	CA	S
8368	RTC as conservator for American Security FS&LA v. Krantz et al.	89-C-0166	IL	F
8389	RTC, Conservator of Security Federal v. International Insurance d/b/a Crum & Forester and Carstens (I); George E. Martin (DO); Kenneth W. Fais (O); Frank E. Pringle (O); Henry E. Carstens (O); Richard L. Kindermann (DO); Lucien S. Miranne (DO) and Dan M. Watsky (O)	Civ. Act. No. 89-402	LA	F
8399	RTC as Receiver for Enterprise v. Evans & Sullivan	90-0770	LA	F
8399	RTC as Receiver for Enterprise v. Continental Insurance Co.	90-0611	LA	F
8426	State Mutual Federal S&L vs. National Union Fire Ins. Co. (I) and Fred D. Davis (X)	J89-0404(W)	MS	F
8430	In the matter of Dorsey & Whitney, case was settled.			
8430	In the matter of RTC as conservator for Occidental/Nebraska FSB v. Dunn (X)	489-40803-HT-7(BNKR)	TX	F
8430	In the bankruptcy of M.B. Dunn	AD.NO. 489-41 (BNKR)	TX	F
8435	RTC as conservator for North Jersey S&LA v. Fidelity and Deposity Co. of MD.	W-002887-88	NJ	S
8442	In re Hugh Hood	76-116-0123088		
8442	RTC as conservator for Valley SB v. Hugh Hood		NM	S
8443	RTC as conservator for Sun Country SB of New Mexico FSB v. Estella Evans (D), Raymond Evans (DO), Mary Jane Garcia (D), James M. Furgeson (D), Vivian P. Dominguez (D), Patricio P. Dominguez (D), Clarence H. Fielder (D), Raymond D. Chavez(D) and Emma G. Chavez (D).	CIV-89-0383	NM	F
8443	FSLIC as conservator for Sun Country SB of New Mexico v. Raymond C. Chavez (DO), Quentin Ford (D), Dan L. McKinney (D), Clarence H. Fielder (D), Mary Jane Garcia (D), Vivian Dominguez (D), James Furgeson (D), Vicki Perkins (D), Vicki Jo Farrel (D), and Estella Evans (D).	C/ 87-1266 HB	NM	F
8443	FSLIC as conservator for Sun Country SB	CV89-0436HB (BNKR)	NM	F

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FIN	CASE_NAME	DOCKET_NUM	COURT_ST	STATE_FED
	of New Mexico FSB v. Estelle Evans [D].			
8443	FSLIC as conservator for Sun Country SB of New Mexico v. Liberty Homes, and FSLIC as conservator for Sun Country SB of New Mexico v. Samuel Andrade, [X].	CV 89-0423JC	NM	F
8443	In re Raymond D.Chavez [DO]	89-30209 (BNKR)	TX	F
8443	RTC as conservator for Sun Country SB of New Mexico v. Jack McDowell [X], Elisa McDowell [X], and Town and Country Construction [X]	CIV 8710061	NM	S
8443	RTC as conservator for Sun Country SB of New Mexico v. Neomi Fahrenkrug [X].	CV-88-591;CV89-339JC	NM	S
8456	RTC as conservator for Benjamin Franklin FSA v. Stouffer [X]	86-52038	TX	S
8456	RTC as conservator for Benjamin Franklin FSA v. Prince [X]	CA-4-89-533-K	TX	F
8464	RTC AS CONSERVATOR FOR MERITBANC SAVINGS ASSOCIATION vs. MARVIN COOPER MOORE III, a/k/a MARVIN C. MOORE, JR.	89-01075-H3-7	TX	F
8464	RTC AS CONSERVATOR FOR MERITBANC SAVAINGS ASASOCIATION vs. CHARLES WILLIAM LANDER	89-01876-H5-7	TX	F
8465	AMERICAN EAGLE FINANCIAL CORP. ET AL. v. ABRAHAM KUVET	G-87-294	TX	F
8474	UNIVERSAL SAVINGS ASSOCIATION v. GROOM ET AL.	H-90-573	TX	F
8474	RTC as conservator for UNIVERSAL SAVINGS ASASOCIATION, ET AL. v. PENTECOST ET AL.	H-88-1760	TX	F
8485	ROBERT L. CORSON AND VISION BANC SAVINGS vs. NELSON R. SHARPE, ET AL	C-89-163	TX	F
8485	RTC AS CONSERVATOR FOR VISION BANC SA vs. JAMES W. MOOTY II, ET AL	H-89-3673	TX	F
8503	Fred Hudson, Jr. v. Albert A. Taub et al.	L-89-186-CA	TX	F
8507	CITY SAVINGS ASSOCIATION v. W.L. FARQUHAR	86CV-0225	TX	S
8507	CITY SAVINGS ASSOCIATION v. WORLDWIDE UNDERWRITERS INSURANCE CO.	G-88-114	TX	F
8521	Midwest Federal Savings & Loan v. Greentree Acceptance, Inc. et al.	3-88-669	MN	F
8521	Midwest Federal Savings & Loan v. Greentree Acceptance, Inc.	3-88-669	MN	F
8521	Midwest Federal Savings & Loan v.	3-88-669	MN	F

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FIN	CASE_NAME	DOCKET_NUM	COURT_ST	STATE_FED
	Greentree Acceptance, Inc.			
8521	Midwest Federal Savings & Loan v. Greentree Acceptance, Inc.	3-88-669	MN	F
8533	Cobey W. Rapaport [D] v. RTC as receiver for Royal Palm SB	89-8137-CIV-PAINE	FL	F
8533	Morton Salkind, individually and as class representative v. Robert Rapaport [DO], Deloitte, Haskins and Sells [T].	89-8352-CIV-PAINE	FL	F
8533	Robert D. Rapaport [DO] v. Joseph Burgoon [D], Blair [X], and Thomas Lee [L].	CL-89-3748-AD	FL	S
8533	Robert D. Rapaport [DO] v. RTC as receiver for Royal Palm SB	89-8139-CIV-PAINE	FL	F
8533	RTC as receiver for Royal Palm Federal Savings & Loan Asso. v. Robert D. Rapaport [DO], Samuel Susi [L], Mark Davis [L], and Cobey Rapaport [O].	88-8510-CIV-PAINE	FL	F
8533	RTC as receiver for Royal Palm Federal S&LA v. Deloitte, Haskins & Sells [T].	89-8039-CIV-PAINE	FL	F
8533	RTC as receiver for Royal Palm Federal Savings & Loan Asso. v. Greenberg, Taurig, Hoffman, Lipoff, Rosen & Quenntel, P.A. & Marvin Rosen [L].	88-8566-CIV-PAINE	FL	F
8543	RTC as Receiver for Century FSB v. Michael Nicholson [O], and Ohio Casualty Insurance Co. [B].	3-88-163	TN	F
	Amended complaint filed 07/26/90.			
	Responded to grand jury subpoena.			
8543	RTC as reciver for Century FSB v. Arnold Spain & Co.	89-1065-TUB	TN	F
	Responded to grand jury subpoena.			
8560	RTC as conservator for Lincoln FS&LA v. Charles Keating [DO]; Charles H. Keating III [DO]; Judy J. Wischer [DO]; Robert J. Kielty [DO]; Robert M. Wurzelbacher, Jr. [DO]; Andrew F. Ligget [DO]; Robert J. Hubbard, Jr. [DO]; Andre A. Wiebling [DO]; Mark S. Sauter [DO]; Gary W. Hall [DO]; William J. Keating [D]; Mary Elaine Keating [X]; Krista X. Keating [X]; George J. Wischer [X]; Elizabeth A. Kielty [X]; Elizabeth	CA 89 1509	AZ	F

FIN	CASE_NAME	DOCKET_NUM	COURT_ST	STATE_FED
	Wurzelbacher [X]; Michelle Ligget [X]; Kathleen M. Wiebling [X]; Mary A. Hall [X]; First Lincoln Financial Corporation [X]; Medema Homes of Utah, Inc. [X]; United Leasing Corp. of Del. [X]; American Continental Mortgage Co. [X]; American Continental Resources Corp. [X]; Continental Fire & Casualty Co. [X]; Tatum Place, Inc. [X]; American Continental Properties Inc. [X]; Park Drive Apartments, Inc. [X]; A.C.C. Real Estate, Inc. [X]; Dunlap Apartments, Inc. [X]; American Continental Finance Corp. [X]; American Continental Finance Corp. II [X]; Continental Home Finance Corp. [X]; American Home Finance Corp. [X]; American Home Finance Corp. II [X]; and American Home Finance Corp. III [X]			
8589	RTC AS CONSERVATOR FOR EAST TEXAS S&LA, F.A. v. PRESIDENTIAL-BACHE SECURITIES, INC., ET AL	89-R341	DC	F
8596	CORNERSTONE v. JAMES GILBERT ET AL.	89-2332		F
8617	RTC as Conservator for Commonwealth v. Jason Chapnick [D], Deloitte, Haskins and Sells [T], J. Michael Cook [T], Henry Forer [T], Sherrill Hudson [T], K. Michael Davis [T], Guy Moore [T], and Ferdinand Heeb [T], John Does One through Eight Hundred, doing business as Deloitte, Haskins and Sells [T], H. Leslie Kelbach doing business at Kelbach Futures Associates, Inc. [S], Conti Commodity, Inc. [C], REFCO Inc. [C], Heinold Commodities, Inc. [C], Gelderman Inc. [C] and Kenneth Fletcher [D].	89-6572-CIV-JCP	FL	F
8617	RTC as Conservator for Commonwealth v. Heinold/Gelderman	89-C 4350	FL	F
8653	RTC as conservator for Duval FS&LA v. Peat Marwick	89-08548CA	FL	S
8660	RTC as conservator for Aspen SB v. James Reynolds [DO], Alan S. Leibel [D], Robert W. Martin [D], John R. P. Wheeler [D], Rust Kraft [DO], R. Tim McKenna [D], James Beresh [D], David P. Wagner [DO], Gary D. Mussy [D], and Jeff Bean [D].	89-CV-194	CO	S
8660	RTC as conservator for Aspen SB v. Deloitte, Haskins & Sells	22064-89	NY	S
8661	RTC as conservator for Atlantic	90-4113	PA	F

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  FIN  CASE_NAME                                 DOCKET_NUM           COURT_ST  STATE_FED
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       Financial S&LA v. Laventhal & Horwath
       [X]; Donald R. Caldwell [DO]; Calvin D.
       Baker [O]; William M. Jones [D]; Caryl
       M. Kline [D]; Merton J. Matz [O];
       Salvatore A. Carto [D]; Fredric A.
       Diegel [D]; Donald T. Gutshall [D];
       Charles B. McConnell [D]; William H.
       Bertolet [D]; Richard L. Boje [D];
       Chester D. May [D]; and Atlantic
       Financial Federal [X]

 8661  Glassman [X] v. RTC as conservator for    89-1255              PA        F
       Atlantic Financial S&LA
 8661  In re Master Security Litigation [X]      89-0654              PA        F
 8681  First Atlantic Leasing Corp. vs. Thomas   C.A. NO. 89-1009
       Tracey vs. First Atlantic Savings & Loan
       Assn.
 8689  RTC v. Logan, Campbell et al.             89-CI-189            KY        F
 8689  RTC v. Hanover Insurance Co.               C90-0070-O(CS)      KY        F
 8801  Wechsler [X] v. Shane [X]                 SA CM 90-87 JSL      CA
 8806  RTC as conservator for Merabank v. CNA                         AZ        F
 8818  RESOLUTION TRUST CORPORATION v. ROBERT    90-1188                        F
       WALTERS ET AL.
 8858  Pima v. Martin Mortimer [O]; Janet        89-0723TUC-WDB       AZ        F
       Mortimer [X]; Donald Silversmith [D];
       Pearce, Urstadt, Mayer & Greer Realty
       Corp. d.b.a. [X]; Pearce Mayer & Greer
       Realty Corp., a New York Corp. [X];
       Pearce, Urstadt, Mayer & Greer Realty
       Corp. of Col., a Col. Corp. [X]; Pearce,
       Urstadt, Mayer & Greer, Inc. d.b.a.
       Urstadt Property Co. Inc., a Delaware
       Corp. [X] and Charles J. Urstadt [DO]
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 FIN    BANK_NAME                                  FDIC_ATTY
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 0000   FADA                                       EISENSTEIN
 0002   VERNON S&LA                                MCDONALD
 0004   COOSA FS&LA                                DILL
 0006   GUARANTY S&LA                              ALEXIS
 0007   CENTRAL ARKANSAS S&LA                      LEWIS
 0009   AMERICAN DIVERSIFIED S.B.                  HINDES
 0010   BELL S&LA                                  ROSENAK
 0011   MT. WHITNEY S&LA                           GLASER
 0012   AMERICAN S&LA                              HINDES
 0013   NORTH AMERICA S&LA                         SATTERWHITE
 0014   BUTTERFIELD S&LA                           VAN BERG
 0015   CONSOLIDATED SAVINGS BANK                  LAUER
 0016   BEVERLY HILLS S&LA                         ROSENAK
 0017   COLUMBUS S&LA                              SCHWARTZ
 0019   GOLDEN PACIFIC S&LA                        GLASER
 0021   FARMERS SAVINGS BANK                       MCDONALD
 0022   CENTENNIAL S&LA                            ROSENAK
 0023   FIRST SECURITY SAVINGS BANK                KOERNER
 0024   FIRST CALIFORNIA, S.B.                     SATTERWHITE
 0025   SEAPOINTE S&LA                             HINDES
 0026   RAMONA S&LA                                WILLIAMS
 0027   SOUTHERN FLORIDABANC                       GUNNING
 0028   PRESIDIO S&LA                              SATTERWHITE
 0030   SOUTH BAY S&LA                             MCGUIRE
 0032   CENTRAL S&LA                               DOUEK
 0033   WESTWOOD S&L                               MCGUIRE
 0035   TAHOE S&LA                                 WILLIAMS
 0037   CAL AMERICA S&LA                           WILLIAMS
 0038   KEY S&LA                                   HINDES
 0040   COLUMBIA SAVINGS                           SATTERWHITE
 0041   SILVERADO BANKING                          HINDES
 0042   NATIONAL PERMANENT F.S.B.                  FLANNERY
 0043   METROPOLITAN FS&LA                         HAYGOOD
 0044   INTERCAPITAL SAVINGS BANK                  ZIMMERMAN
 0045   BEACH FEDERAL                              MANUEL
 0046   LIBERTY S&LA                               VAN BERG
 0047   CYPRESS SAVINGS ASSOCIATION                HAYGOOD
 0048   SUNRISE S&LA                               GUNNING
 0051   SOUTH FLORIDA SB                           ZIMMERMAN
 0052   FINANCIAL SECURITY S&LA                    ZIMMERMAN
 0054   FIRST FS&LA                                GILBERT
 0061   UNITED FIRST FS&LA                         DAVIDOVICH
 0062   NORTHWEST FS&LA                            SCHWARTZ
 0065   FIRST FS&LA OF FREEPORT                    SATTERWHITE
 0067   FIRST FINANCIAL S&LA                       LEWIS
 0068   MANNING S&LA                               SATTERWHITE
 0069   CAPITOL FEDERAL SAVINGS OF AMERICA         SATTERWHITE
 0070   LYONS FEDERAL TRUST & SAVINGS BANK         GUNNING
 0071   PATHWAY FINANCIAL                          DORSEY
 0073   FIRST DEARBORN, F.A.                       SATTERWHITE
 0074   CITIZENS S&LA                              SATTERWHITE
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  FIN     BANK_NAME                                  FDIC_ATTY
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  0077    LIFE SAVINGS OF AMERICA                    ROSS
  0078    ARSENAL SAVINGS ASSOCIATION                GILL
  0080    FRANKTON FSA                               GILL
  0081    CAPITOL FEDERAL SAVINGS BANK               POWALSKI
  0082    FIRST FS&LA OF BELOIT                      GLASER
  0083    CORONADO FS&LA                             HAMMOCK
  0084    ROOKS COUNTY, F.S.A.                       ROSS
  0085    LINCOLN FS&LA                              SATTERWHITE
  0087    FIRST FS&LA                                ZIMMERMAN
  0088    AUDUBON FS&L                               GILL
  0089    LIBERTY FS&LA                              GILL
  0090    ACADIA S&LA                                GUNNING
  0091    GULF FEDERAL S&LA                          DAVIS
  0092    NEW ORLEANS FS&LA                          SATTERWHITE
  0093    ALLIANCE FS&LA                             ALEXIS
  0094    TWIN CITY S.B.                             DAVIS
  0095    SUN BELT FEDERAL BANK                      DAVIS
  0097    NORTHLAKE S&LA                             DAVIS
  0098    CRESCENT FEDERAL SAVINGS BANK              SATTERWHITE
  0099    FIRST SAVINGS OF LOUISIANA                 LEWIS
  0100    COUNTY FEDERAL                             HAMMOCK
  0101    FIDELITY FEDERAL S&LA                      KOERNER
  0102    FIRST FEDERAL S&LA OF MARYLAND             GUNNING
  0103    BLOOMFIELD S&LA                            DORSEY
  0104    USM SAVINGS BANK                           GUNNING
  0106    BOHEMIAN S&L                               HAMMOCK
  0107    NEW NORTH MISSISSIPPI S&L                  GILL
  0108    FIRST FINANCIAL S&LA                       GILBERT
  0109    FIRST SOUTHERN SA                          GLASER
  0110    CARDINAL SAVINGS BANK                      DORSEY
  0112    FIRST FEDERAL OF GRAND FORKS               MITTELMAN
  0113    OCCIDENTAL FSB                             HINDES
  0114    TRI-COUNTY S&LA                            GLASER
  0116    FIRST FS&LA                                KOERNER
  0118    LIBERTY FSB                                HINDES
  0119    CARDINAL FEDERAL SAVINGS BANK              TOPPING
  0120    FIRST BORDER OF PIQUA                      ZIMMERMAN
  0121    OHIO VALLEY S&LA                           GILBERT
  0122    PEOPLES FEDERAL S&LA                       GILBERT
  0123    AMERICAN FS&LA                             ROBINSON
  0124    INVESTORS FS&LA                            LEWIS
  0126    FIRST FEDERAL S&LA                         HAYGOOD
  0127    HOME SAVINGS & LOAN ASSOCIATION            SAUNDERS
  0129    UNIVERSAL SAVINGS ASSOCIATION              GUNNING
  0130    UNITED FS&LA                               LEWIS
  0131    FIRST OKLAHOMA SAVINGS BANK                GILL
  0132    MIDAMERICA FS&LA                           GILL
  0133    TERRITORY S&LA                             LEWIS
  0134    CAPITOL FSB                                HINDES
  0136    OKLAHOMA FEDERAL S&LA                      LEWIS
  0137    MUTUAL FS&LA                               HINDES
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FIN	BANK_NAME	FDIC_ATTY
0139	PHOENIX FEDERAL SAVINGS & LOAN	HINDS
0140	PEOPLES FEDERAL SAVINGS & LOAN ASSOC.	DERAMUS
0141	HERITAGE SAVINGS & LOAN ASSOCIATION	LOLLMAN
0142	HOME SAVINGS BANK, FA	DERAMUS
0143	FIRST FEDERAL SAVINGS & LOAN OF	LOLLMAN
0144	CITIZENS S&LA	SCHWARTZ
0145	STATE FS&LA	MCDONALD
0146	AMERICAN HOME FSB	WILLIAMS
0147	HOME FEDERAL S&LA	SCHWARTZ
0149	SECURITY TRUST S&LA	HAYGOOD
0150	SAVANNAH S&LA	GILBERT
0151	NORTHPARK S&LA	GLASER
0152	FIRST WESTERN S&L	VAN BERG
0155	KNOX FS&LA	ZIMMERMAN
0156	LAMAR SAVINGS ASSOCIATION	PATRICK
0157	BROWNFIELD S&LA	POWALSKI
0158	GUARANTY FS&LA	HAMMOCK
0159	INDEPENDENT AMERICAN SAVINGS ASSOCIATION	PATRICK
0160	BLUEBONNET S&L	HAMMOCK
0162	IRVING SAVINGS ASSOCIATION	ROBINSON
0163	ALLIANCE S&LA	JONES
0165	COMMODORE SAVINGS	MCCLELLAN
0166	MERCURY SA OF TEXAS	ROSS
0167	BELL SAVINGS BANK	HAMMOCK
0168	EMPIRE S&LA	GLASER
0169	HI PLAINS S&L	POWALSKI
0171	VISTA SAVINGS ASSOCIATION	VAN BERG
0172	LAMESA FS&LA	PULLIAM
0173	INTERWEST SA	ALEXIS
0174	RANCHERS SA	GLASER
0175	LEE S&LA	GLASER
0176	SENTRY SAVINGS ASSOCIATION	FLETCHER
0177	FIRST FEDERAL SAVINGS & LOAN ASSOC., FSA	HINDS
0178	UNITED SA OF TEXAS	ROBINSON
0180	WESTERN S.A.	ROBINSON
0181	CHAMPION SA	DAVIS
0182	METROPLEX FSA	DERAMUS
0184	SUNBELT SAVINGS ASSOCIATION OF TEXAS	LEWIS
0185	STATE S&LA	POWALSKI
0187	YOAKUM FEDERAL SAVINGS & LOAN ASSN	SAUNDERS
0188	UNION SAVINGS & LOAN	PULLIAM
0189	SEGUIN SAVINGS ASSOCIATION	MCDONALD
0190	MESQUITE SAVINGS & LOAN ASSOCIATION	COFFEY
0191	RELIANCE SAVINGS ASSOCIATION	ALEXIS
0192	BANC HOME SA	MCGUIRE
0193	FIRST CITY, SA, IRVING	HAMMOCK
0194	FIRST FEDERAL SAVINGS & LOAN ASSOCIATION	PULLIAM
0195	ODESSA SA	MCGUIRE
0196	OLNEY SA	LEWIS
0197	PETROPLEX SAVINGS ASSOCATION	SAUNDERS
0198	SAN ANGELO SAVINGS ASSOCIATION	LOLLMAN

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  FIN    BANK_NAME                                   FDIC_ATTY
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  0199   SECURITY FEDERAL SAVINGS & LOAN ASSOC.      HINDS
  0200   SHAMROCK FEDERAL SAVINGS BANC               TRUELSON
  0201   SOUTHERN SAVINGS & LOAN                     COFFEY
  0202   SOUTHWEST SAVINGS ASSOCIATION               COFFEY
  0203   HEART O'TEXAS SAVINGS & LOAN ASSOCIATION    PULLIAM
  0205   MAGIC VALLEY                                FLANNERY
  0206   SECURITY SA                                 DAVIDOVICH
  0208   CHARTER SAVINGS & LOAN ASSOCATION           SAUNDERS
  0209   KEYSTONE S&LA                               PULLIAM
  0210   INDEPENDENCE SAVINGS & LOAN                 FLETCHER
  0211   FIRST FEDERAL SAVINGS & LOAN ASSOC.         TAYLOR
  0213   BAYVIEW FEDERAL SAVINGS & LOAN ASSOC.       HINDS
  0215   TEXANA S&LA                                 MCDONALD
  0216   BURNET S&LA                                 COFFEY
  0217   SUMMIT SAVINGS ASSOCIATION                  TRUELSON
  0218   PEOPLES S&LA                                MCGUIRE
  0219   FIRST SA OF EAST TEXAS                      SAUNDERS
  0220   MOUNTAINWEST S&L                            WILLIAMS
  0221   STATE S&LA                                  GUNNING
  0223   MOUNTAIN SECURITY SAVINGS BANK              ZIMMERMAN
  0224   MCLEAN S&LA                                 MCDONALD
  0225   EASTERN WASHINGTON S&LA                     SCHWARTZ
  0228   LYNNWOOD S&LA                               WILLIAMS
  0229   TRI-CITIES S&LA                             FLANNERY
  0232   MAGNET BANK, FSB                            HINDES
  0233   GUARANTY FEDERAL SAVINGS BANK               MCGUIRE
  0234   UNITED SAVINGS BANK OF WYOMING              DAVIDOVICH
  0235   ROCKY MOUNTAIN FS&LA                        DAVIDOVICH
  0239   PHENIX FEDERAL                              HAYGOOD
 10001   PAWNEE NATIONAL BANK                        TAYLOR
 10002   GUARANTY NATIONAL BANK                      PULLIAM
 10003   GLADEWATER FEDERAL SAVINGS & LOAN ASSOC.    DERAMUS
 10004   AMERICAN BANC                               DERAMUS
 10005   SOUTHLAND SAVINGS & LOAN ASSOCIATION        FLETCHER
 10006   MINERAL WELLS S.A.                          HINDS
 10007   CAMERON COUNTY SAVINGS ASSOCIATION          LOLLMAN
 10008   ALLIANCE BANK                               PULLIAM
 10009   SOUTHERN FEDERAL BANC SAVINGS & LOAN        TAYLOR
 10010   KILLEEN SAVINGS & LOAN ASSOCIATION          TAYLOR
 10011   COLORADO COUNTY FEDERAL SAVINGS & LOAN      TRUELSON
 10012   TESORO SAVINGS & LOAN ASSOCIATION           TRUELSON
 10013   FIRST NATIONAL BANK, SANGER                 TRUELSON
 10014   SKYLINE SAVINGS ASSOCIATION                 TRUELSON
 10015   METROPOLITAN NATIONAL BANK                  SAUNDERS
 1123    UNITED AMERICAN BANK                        KOERNER
 1539    FEDERATED SAVINGS & LOAN                    FLETCHER
 20002   BANK OF SANTE FE                            MCGUIRE
 20003   LONGVIEW BANK & TRUST COMPANY               ROSS
 20005   FIRST CITY BANK                             PATRICK
 20006   FIRST DAKOTA NATIONAL BANK                  ROSS
 20007   SECURITY STATE BANK                         SATTERWHITE
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FIN	BANK_NAME	FDIC_ATTY
20008	UNITED VALLEY BANK	FLANNERY
2320	WESTERN NATIONAL BANK	HINDES
2325	OKLAHOMA NATIONAL BANK	DAVIS
2327	CEDAR BLUFF BANK	UNDERWOOD
2346	CITY AND COUNTY BANK OF KNOX COUNTY	MCGUIRE
2347	UNITED SOUTHERN BANK	KOERNER
2348	UNITED AMERICAN BANK OF HAMILTON COUNTY	MCGUIRE
2349	CITY AND COUNTY BANK OF ROANE	MCGUIRE
2350	CITY AND COUNTY BANK OF ANDERSON	MCGUIRE
2355	FIRST PEOPLES BANK OF WASHINGTON COUNTY	MCGUIRE
2357	FIRST NATIONAL BANK OF DANVERS	HAMMOCK
2358	FIRST COMMERCIAL BANK OF HAWKINS COUNTY	MCGUIRE
2369	FARMERS BANK & TRUST	ALEXIS
2376	UNITED BANK OF OREGON	ROBB
2378	NATIONAL BANK & TRUST OF TRAVERSE CITY	TOPPING
2381	SHELBY NAT'L BANK OF SHELBYVILLE	GLASER
2386	MISSISSIPPI BANK	ROBINSON
2389	BANK OF IRVINE	ANDERSON
2390	WASHINGTON NAT'L BANK OF CHICAGO	SATTERWHITE
2397	FARMERS NATIONAL BANK OF AURELIA	GLASER
2403	JACKSON COUNTY NATIONAL BANK	DAVIS
2407	GIROD TRUST COMPANY	ROSS
2411	CONTINENTAL ILLINOIS NATIONAL BANK	SATTERWHITE
2412	BANK OF NORTHWEST	WILLIAMS
2445	INWOOD STATE BANK	DOUEK
2448	COMMERCIAL STATE BANK	ROSS
2450	GOLDEN VALLEY BANK	WILLIAMS
2453	CAPISTRANO NATIONAL BANK	DILL
2462	STORY COUNTY STATE BANK	ROSS
2463	BANK OF NEWCASTLE	TOPPING
2474	FIRST CITY BANK, NA	GUNNING
2475	FIRST BANK & TRUST CO. OF TRACY CITY	AHRENS
2480	LINN COUNTY STATE BANK	LEWIS
2482	FIRST NATIONAL BANK OF GLENROCK	VAN BERG
2489	MINEOLA STATE BANK	HAMMOCK
2490	SECURITY BANK & TRUST CO	ROBINSON
2495	MONCOR BANK, N.A.	TOPPING
2497	MONCOR BANK, N.A.	TOPPING
2499	WESTERN STATE BANK OF DENTON	FLETCHER
2500	TOWER BANK, N.A.	GILBERT
2503	SARATOGA STATE BANK	GILBERT
2504	FIRST NATIONAL BANK	SATTERWHITE
2507	EARLY BANK	KOERNER
2510	EARLY SAVINGS BANK	SATTERWHITE
2511	AURORA BANK	VAN BERG
2513	NORTH SHORE BANK	DORSEY
2518	ALLEN COUNTY BANK & TRUST COMPANY	HAMMOCK
2519	CALIFORNIA HERITAGE BANK	DOUEK
2522	FIRST NATIONAL BANK OF LINCOLN CTY	TOPPING
2529	BANK OF DIXIE	KOERNER
2531	UTAH FIRST BANK	ROSS

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File: INSTITUT.DBF

 FIN    BANK_NAME                                   FDIC_ATTY
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 2536   PARK BANK                                   GILBERT
 2537   FIRST NATIONAL BANK                         DERAMUS
 2540   CITY NATIONAL BANK OF PLAINVIEW             GILL
 2541   WILLIAMS SAVINGS BANK                       HAMMOCK
 2542   FIRST STATE BANK                            ZIMMERMAN
 2545   FAMILY BANK                                 WILLIAMS
 2547   EDDY COUNTY NATIONAL BANK                   TOPPING
 2548   NATIONAL BANK                               DOUEK
 2549   FIRST NATIONAL BANK OF RUSTON               GILBERT
 2551   FLORIDA CENTER BANK                         GUNNING
 2552   FIRST NATIONAL BANK OF IRVING               GLASER
 2555   BEDFORD NATIONAL BANK                       PATRICK
 2556   BANK OF COMMERCE & TRUST CO                 GILBERT
 2557   RAINSVILLE BANK                             DAVIS
 2558   FIRST BANK & TRUST OF IDAHO                 DOUEK
 2561   CIRST STATE BANK & TRUST                    DOUEK
 2565   BANK OF COLUMBIA FALLS                      DOUEK
 2566   BOSSIER BANK & TRUST COMPANY                GILBERT
 2567   BANK OF COMMERCE                            GILL
 2568   FIRST NATIONAL BANK OF BORGER               DOUEK
 2572   ORANGE COAST THRIFT & LOAN ASSOCIATION      JONES
 2574   FIRST NATIONAL BANK & TRUST                 DAVIS
 2578   NEW MEXICO NATIONAL BANK                    TOPPING
 2579   FARMERS BANK                                DAVIS
 2585   GERING NATIONAL BANK & TRUST COMPANY        KUMIN
 2588   GRAETTINGER STATE BANK                      PATRICK
 2589   FIRST CITIZENS BANK                         DOUEK
 2590   STATE EXCHANGE BANK                         ROSS
 2597   CENTRAL BANK & TRUST OF TULSA               GUNNING
 2602   AMERICAN BANK & TRUST CO                    GILL
 2608   SECURITY NATIONAL BANK                      DOUEK
 2609   REPUBLIC BANK                               ZIMMERMAN
 2616   BANK OF NORTHERN CALIFORNIA                 TOPPING
 2617   TEXANA NATIONAL BANK OF COLLEGE STATION     ROSS
 2619   FIRST NATIONAL BANK                         VAN BERG
 2623   FIRST NATIONAL BANK OF STEWARTVILLE         KUMIN
 2631   SECURITY NATIONAL BANK& TRUST CO            DERAMUS
 2632   STATE BANK OF CUBA                          TOPPING
 2633   LATIMER BANK & TRUST                        ANDERSON
 2634   FIRST NATIONAL BANK OF RUSH SPRINGS         SAUNDERS
 2638   FARMERS NATIONAL BANK OF REMINGTON          PATRICK
 2639   BEAR CREEK NATIONAL BANK                    DAVIS
 2640   MONTGOMERY COUNTY BANK, N.A                 JONES
 2649   HUB CITY BANK & TRUST COMPANY               DORSEY
 2655   LIBERTY BANK                                PATRICK
 2657   FIRST NATIONAL BANK OF SAPULPA              DILL
 2660   WESTERN BANK OF EL PASO                     PATRICK
 2661   EXPRESSWAY BANK                             COFFEY
 2662   UNITED OKLAHOMA BANK                        GILBERT
 2667   MOROCCO STATE BANK                          PATRICK
 2676   BANK OF IRON COUNTY                         SCHWARTZ
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File: INSTITUT.DBF

  FIN    BANK_NAME                                 FDIC_ATTY
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  2683   AMERICAN BANK OF COMMERCE                 ALEXIS
  2685   MOREAUVILLE STATE BANK                    GILL
  2691   LAKE AUSTIN NATIONAL BANK                 SAUNDERS
  2694   BENTON STATE BANK                         JONES
  2695   FIRST STATE BANK                          DERAMUS
  2696   NORTHWEST COMMERCIAL BANK N.A.            DAVIS
  2701   EIGHTY NINER BANK OF COYLE                COFFEY
  2702   SOUTH DENVER NATIONAL BANK                DAVIDOVICH
  2705   BANK OF BRAZORIA                          DAVIS
  2706   CITIZENS BANK                             ROSS
  2715   SECURITY STATE BANK                       DERAMUS
  2718   FIRST NATIONAL BANK                       DERAMUS
  2719   MCNULTY BANKING COMPANY                   GILBERT
  2720   AMERICAN EXCHANGE BANK & TRUST CO         PATRICK
  2727   BREAUX BRIDGE BANK & TRUST CO.            PATRICK
  2728   STEEPLECHASE NATIONAL BANK                FLETCHER
  2730   CITIZENS BANK OF DRUMWRIGHT               TAYLOR
  2731   COMMONWEALTH BANK                         MCGUIRE
  2732   VALLEY STATE BANK                         DOUEK
  2735   WESTERN BANK                              TAYLOR
  2736   WESTERN BANK                              TAYLOR
  2740   FIRST STATE BANK OF BOVINA                KOERNER
  2744   CAPITAL BANK & TRUST COMPANY              JONES
  2745   MIDDLE PARK BANK                          JONES
  2746   BANK OF WINTER PARK                       JONES
  2748   PEOPLES BANK & TRUST OF IBERIA PARISH     ZIMMERMAN
  2751   MADISON BANK & TRUST CO                   DAVIS
  2753   CENTER STATE BANK                         PATRICK
  2754   CROFTON STATE BANK                        PATRICK
  2755   STATE BANK OF JANSEN                      PATRICK
  2756   FIRST STATE BANK                          PATRICK
  2759   PEOPLES BANK                              HAYGOOD
  2760   LOUISIANA BANK & TRUST CO.                HAYGOOD
  2763   BANCFIRST - AUSTIN N.A.                   SAUNDERS
  2766   FIRST INTERSTATE BANK OF ALASKA           KUMIN
  2767   AMERICAN BANK OF COMMERCE                 ALEXIS
  2768   US BANK                                   ALEXIS
  2769   BANK OF MABANK                            TOPPING
  2775   LOUISIANA COMMERCIAL BANK                 WILLIAMS
  2776   UNITED MERCANTILE BANK                    ALEXIS
  2777   BANK OF CASPER                            ALEXIS
  2778   SAM HOUSTON NATIONAL BANK                 HINDS
  2779   PORT CITY BANK                            TAYLOR
  2781   BANK OF DALLAS                            DORSEY
  2790   AMERICAN NATIONAL BANK                    HINDS
  2793   FIRST AMERICAN BANK & TRUST OF BAYTOWN    FLETCHER
  2794   SECURITY BANK OF DENVER, N.A.             ZIMMERMAN
  2796   FIRST NATIONAL BANK OF PORT ALLEN         KOERNER
  2798   STATE BANK OF MORGAN                      GLASER
  2800   CENTURY BANK                              FLETCHER
  2801   FIRST BANK & TRUST                        ROSS
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  FIN    BANK_NAME                                          FDIC_ATTY
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  2802   UNION BANK & TRUST COMPANY                         DERAMUS
  2803   CENTRAL NATIONAL BANK                              ROSS
  2806   COLONIAL THRIFT & LOAN                             DOUEK
  2807   MCALLEN STATE BANK                                 KUMIN
  2811   OAK PARK BANK                                      LEWIS
  2813   UNION BANK & TRUST OF DALLAS                       TRUELSON
  2816   FIRST STATE BANK                                   PULLIAM
  2817   WESTSIDE NATIONAL BANK                             ROSS
  2818   NATIONAL BANK OF TEXAS (HOUSTON)                   PULLIAM
  2820   FIRST NATIONAL BANK OF KINGWOOD                    TAYLOR
  2823   SECURITY BANK OF AURORA                            ZIMMERMAN
  2824   SECURITY BANK OF BOULDER                           ZIMMERMAN
  2825   GUARANTY BANK                                      SATTERWHITE
  2826   RIVER PLAZA NATIONAL BANK                          HINDS
  2827   WILLIAMSTOWN BANK, N.A.                            ROSS
  2828   PARKWAY BANK & TRUST                               SAUNDERS
  2829   KINGSLAND NATIONAL BANK                            ROSS
  2832   BANK OF WESTMINSTER                                DAVIDOVICH
  2834   NORTHWEST BANK & TRUST                             KOERNER
  2835   TEXAS NATIONAL BANK                                HINDS
  2837   REPUBLIC NATIONAL BANK                             DOUEK
  2838   FIRST NATIONAL BANK                                ROSS
  2839   MERCANTILE BANK                                    KOERNER
  2840   AMERICAN BANK                                      SAUNDERS
  2841   SECURITY BANK                                      SAUNDERS
  2843   UNION BANK & TRUST                                 FLETCHER
  2845   NATIONAL FIDELITY BANK OF SHREVEPORT               ALEXIS
  2846   FIRST REPUBLIC BANK, DALLAS                        PATRICK
  2874   HOME SAVINGS & LOAN ASSOCIATION                    FLETCHER
  2888   ALASKA CONTINENTAL BANK                            KUMIN
  2890   GALENA PARK STATE BANK                             PULLIAM
  2891   FIRST BANK                                         TAYLOR
  2892   WEST HOUSTON NATIONAL BANK                         ROSS
  2893   FIRST NATIONAL BANK                                KOERNER
  2894   TOWN & COUNTRY NATIONAL BANK                       HINDS
  2896   BANK OF MIDSOUTH                                   JONES
  2897   BANCFIRST WESTLAKE NATIONAL BANK                   TAYLOR
  2898   HIGHLAND PARK NATIONAL BANK                        TRUELSON
  2910   AMERICAN BANK OF MUSKOGEE                          KOERNER
  2911   PIONEER NATIONAL BANK                              TAYLOR
  2912   FIRST NATIONAL BANK ATASCOCITA                     FLETCHER
  2914   MINGO TRUST & SAVINGS BANK                         SATTERWHITE
  2915   SYLVIA STATE BANK                                  LEWIS
  2917   RIVER CITY BANK                                    HINDS
  2918   TRINITY NATIONAL BANK                              SCHWARTZ
  2919   TOWN AND COUNTRY BANK                              ROBINSON
  2920   FIRST STATE BANK                                   COFFEY
  2925   LIBERTY BANK AND TRUST COMPANY                     HAMMOCK
  2926   FIDELITY NATIONAL BANK                             HINDS
  2927   COMMERCIAL BANK & TRUST                            DAVIS
  2928   SECURITY BANK                                      FLETCHER
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FIN	BANK_NAME	FDIC_ATTY
2929	FRONTIER NATIONAL BANK	FLETCHER
2930	MEDICAL CENTER STATE	DERAMUS
2931	AVOYELLES TRUST & SAVINGS	ALEXIS
2932	AMERICAN NATIONAL BANK	HINDS
2933	MIAMI NATIONAL BANK	HINDS
2934	EAST TEXAS STATE BANK	LOLLMAN
2935	BANK OF KERRVILLE	FLETCHER
2936	OAKLAWN BANK N.A.	DERAMUS
2937	UNION BANK OF HOUSTON	GILL
2940	FIRST BANK & TRUST	SAUNDERS
2941	CARI BANK	GILBERT
2942	CRESENT CITY BANK	DORSEY
2943	FIRST NATIONAL BANK	TAYLOR
2944	FIRST NATIONAL BANK	TRUELSON
2945	TEXAS BANK OF PLANO	TRUELSON
2946	TEXAS NATIONAL BANK	DORSEY
2948	FIRST INDUSTRIAL BANK	HINDES
2949	BANK OF BENTON	DORSEY
2951	ROLLING HILLS STATE BANK	DERAMUS
2952	OAK HILL NATIONAL BANK	COFFEY
2953	COMMERCIAL STATE BANK	HINDS
2954	WEST BELT NATIONAL	TAYLOR
2955	ORLEANS BANK & TRUST CO.	WILLIAMS
2956	NATIONAL BANK OF BOSSIER CITY	ALEXIS
2957	FIRST NATIONAL BANK CEDAR PARK	KOERNER
2958	MERCHANTS STATE BANK	LEWIS
2959	PLANTERS BANK & TRUST COMPANY	JONES
2961	FIRST STATE BANK OF TEXAS	PULLIAM
2962	CITIZENS STATE BANK	HINDS
2963	ALASKA STATE BANK	WILLIAMS
2964	CITIZENS BANK	DAVIS
2965	FIRST BANK & TRUST	SCHWARTZ
2966	CITIZENS BANK	DAVIS
2967	LOUISIANA BANK & TRUST COMPANY	KOERNER
2968	SECURITY BANK	TRUELSON
2969	WESTPOINT NATIONAL BANK	HINDS
2970	BANK OF THE WEST	TRUELSON
2971	LAKEWAY NATIONAL BANK	PULLIAM
2972	CITIZENS BANK & TRUST	COFFEY
2974	LIVINGSTON BANK	GILBERT
2975	MERCHANTS MARINE BANK	HINDS
2976	ISLAND BANK	HINDS
2977	FARMERS AND MERCHANTS STATE BANK	COFFEY
2978	ENTERPRISE BANK OF FLORIDA	ZIMMERMAN
2979	FIRST BANK OF ROWLETT	COFFEY
2980	INDUSTRIAL BANK	KOERNER
2981	FIRST STATE BANK	COFFEY
2985	MBANK DALLS, NA	TOPPING
2988	MBANK HOUSTON	TOPPING
30004	VIRGINIA FS&LA	WILLIAMS
30005	LINCOLN FS&LA	WILLIAMS

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File: INSTITUT.DBF

 FIN    BANK_NAME                                    FDIC_ATTY
-----------------------------------------------------------------
 30006  BROWARD FS&LA                                SATTERWHITE
 30007  FREEDOM S&LA                                 HAYGOOD
 30008  FRONTIER FS&LA                               HAYGOOD
 30010  FORT LEE S&LA                                KOERNER
 30012  CITIZENS FS&LA                               GLASER
 30013  HOME SAVINGS ASSOCIATION                     GILL
 30014  HOMESTATE S&LA                               ROSENAK
 30015  MAJESTIC S.A.                                ROBINSON
 30016  PARIS S&LA                                   ROBINSON
 30017  RICHARDSON S&LA                              ROBINSON
 30018  STOCKTON S.A.                                TOPPING
 30019  BRIERCROFT S.A.                              VAN BERG
 30020  VALLEY FIRST S & L                           VAN BERG
 30021  UNIVERSAL SAVINGS & LOAN                     VAN BERG
 30023  WESTERN FS&LA                                ROSS
 30024  BEN MILAM S&LA                               ROSS
 30025  MID-STATE S&L                                GLASER
 30026  FIRST TEXAS SAVINGS ASSOCIATION              DAVIDOVICH
 30027  FIRSTSOUTH, F.A.                             GILL
 30028  FIRST FEDERAL BANK                           ROSS
 30029  COMMERCE F.S.B.                              ALEXIS
 30030  WASHINGTON FEDERAL S&L                       BLAIR
 30031  PIONEER FEDERAL S&LA                         ROSS
 30032  FIRST FS&LA OF S.E. MISSOURI                 GLASER
 30033  FIRST F.S.B.                                 GLASER
 30034  CONTINENTAL SAVINGS ASSOCIATION              GILL
 30036  CENTRAL ILLINOIS S& LA                       BLAIR
 30037  SOUTH SIDE S&LA                              FLANNERY
 30039  FIRST FINANCIAL S.B.                         POWALSKI
 30040  BAY CITY FS&LA                               JONES
 30041  AMERICAN FS&LA                               BLAIR
 30042  FRANKLIN S.A.                                POWALSKI
 30043  UNITED SAVINGS ASSOCIATIION                  HINDES
 30044  FIRST FINANCIAL                              HINDES
 30045  FIRST FINANCIAL BANK, FSB                    HINDES
 30046  CREDITBANC, SA                               POWALSKI
 30047  DELTA, SA                                    HAMMOCK
 30048  FIRST FS & L OF NILES                        POWALSKI
 30049  GREAT WEST SAVINGS BANC                      POWALSKI
 30050  MANHATTAN BEACH                              LAUER
 30051  FIRST FEDERAL S & L                          HAMMOCK
 3620   BANK OF COMMERCE                             DAVIS
 3713   FIRST NATIONAL BANK OF PRIOR LAKE            KUMIN
 3950   TRACY COLLINS BANK & TRUST                   WILLIAMS
 3951   BATON ROUGE BANK & TRUST COMPANY             ALEXIS
 4001   HARVARD BANK                                 DERAMUS
 4002   FIRST NATIONAL BANK OF NOCONA                COFFEY
 4003   ST. TAMMANY NATIONAL BANK                    JONES
 4004   COMMONWEALTH BANK                            HINDS
 4005   ALLIED OKLAHOMA BANK, N.A.                   COFFEY
 4006   TRAVIS BANK & TRUST                          SCHWARTZ
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File: INSTITUT.DBF

  FIN    BANK_NAME                                  FDIC_ATTY
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  4007   FIRST STATE BANK                           KUMIN
  4008   CONTINENTAL NATIONAL BANK                  COFFEY
  4009   ALLIANCE BANK                              WILLIAMS
  4011   BANK OF LAKEWOOD                           KUMIN
  4012   KATY NATIONAL BANK                         PULLIAM
  4014   GREATER TEXAS BANK                         COFFEY
  4015   LEXINGTON STATE BANK                       COFFEY
  4017   FIRST NATIONAL BANK OF GORDON              LEWIS
  4018   SECURITY BANK & TRUST CO.                  PULLIAM
  4019   FIRST NATIONAL BANK OF OSWEGO              KOERNER
  4020   BANK OF EDMOND, N.A.                       SAUNDERS
  4021   COMMERCE AND ENERGY BANK OF LAFAYETTE      JONES
  4023   LIBERTY NATIONAL BANK                      SAUNDERS
  4025   TREASURE STATE BANK                        DOUEK
  4026   HELOTES STATE BANK                         TAYLOR
  4027   NORTHERN BANK AND TRUST                    JONES
  4029   NEW ULM STATE BANK                         COFFEY
  4030   HOBBY COMMUNITY BANK                       PULLIAM
  4031   FIRST NATIONAL BANK OF RICHARDSON          SAUNDERS
  4032   STERLINGTON BANK                           ALEXIS
  4033   NATIONAL BANK OF COMMERCE OF BROWNSVILLE   ALEXIS
  4034   UTICA NATIONAL BANK                        ZIMMERMAN
  4035   TEXAS AMERICAN BANKSHARES INC.             GILL
  4059   FIDELITY BANK                              DAVIDOVICH
  4060   HIDALGO COUNTY BANK & TRUST CO.            KUMIN
  4061   TEXAS BANK & TRUST OF SWEETWATER           HINDS
  4062   BRUSHY CREEK NATIONAL BANK                 DERAMUS
  4063   BARNARD STATE BANK                         KOERNER
  4064   FIRST BANK & TRUST CO.                     DERAMUS
  4065   UNIVERSITY NATIONAL BANK                   SAUNDERS
  4066   FIRST STATE BANK                           TRUELSON
  4067   CITIZENS NATIONAL BANK OF KILLEEN          SAUNDERS
  4068   FIRST STATE BANK OF MCKINNEY               COFFEY
  4069   FIRST STATE BANK                           PULLIAM
  4070   TROUP BANK & TRUST CO.,                    PULLIAM
  4071   FARMERS STATE BANK OF YUMA                 DAVIDOVICH
  4100   FIRST BANK                                 PATRICK
  4101   CITIZENS BANK                              COFFEY
  4102   NORTH BANK N.A.                            FLETCHER
  4103   PARK AVENUE BANK, N.A.                     PULLIAM
  4104   BEAUMONT BANK, NA                          PULLIAM
  4105   CENTURY BANK                               POWALSKI
  4106   FIRST CONSOLIDATED BANK-FERRIS             HINDS
  4107   FIRST CONSOLIDATED BANK-HILLSBORO          HINDS
  4108   FIRST CONSOLIDATED BANK-BUDA, N.A.         HINDS
  4109   FIRST CONSOLIDATED BANK-ROSEBUD            HINDS
  4110   FIRST CONSOLIDATED BANK-PLEASANT RUN       HINDS
  4111   WESTERN NATIONAL BANK OF LOUISIANA         JONES
  4112   FIRST SECURITY BANK & TRUST CO             JONES
  4113   BANK OF ST. CHARLES                        JONES
  4115   UNITED NATIONAL BANK OF PLANO               TRUELSON
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  FIN    BANK_NAME                                    FDIC_ATTY
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  4116   CITY NATIONAL BANK OF PLANO                  TRUELSON
  4117   NATIONAL INDUSTRIAL BANK OF CONNECTICUT      JONES
  4118   LOVE FIELD NATIONAL BANK                     PULLIAM
  4119   EXECUTIVE NATIONAL BANK                      SAUNDERS
  4120   SECURITY NATIONAL BANK                       JONES
  4121   GREATER TEXAS BANK NORTH, N.A.               COFFEY
  4122   GREATER TEXAS BANK SOUTHWEST                 COFFEY
  4124   FIRST SECURITY BANK OF GLENDIVE              JONES
  4125   ALEDO STATE BANK                             SAUNDERS
  4126   ATLANTIC NATIONAL BANK                       HAYGOOD
  4127   FIRST NATIONAL BANK OF FRISCO                DERAMUS
  4128   FIRST COMMERCE NATIONAL BANK                 VAN BERG
  4129   FIRST BEACH BANK                             HAYGOOD
  4130   WESTHEIMER MEMORIAL BANK                     DERAMUS
  4131   FIRST BANK PINEVILLE                         JONES
  4132   MIDLOTHIAN NATIONAL BANK                     COFFEY
  4133   CITY NATIONAL BANK OF SAYRE                  DERAMUS
  4134   FIRST ACADIANA BANK                          ALEXIS
  4135   CANYON LAKE BANK                             SAUNDERS
  4136   NORTHSIDE STATE BANK, TULSA                  HINDS
  4137   FIRST AMERICAN BANK & TRUST                  GUNNING
  4138   FIRST CITY NATIONAL BANK                     SCHWARTZ
  4139   UNITED COMMUNITY BANK                        VAN BERG
  4140   FIRST NATIONAL BANK OF SAN MARCOS            TRUELSON
  4141   PLAZA DEL ORO NATIONAL BANK                  TAYLOR
  4142   FARMERS STATE BANK - SHIRO                   COFFEY
  4143   BANC TEXAS                                   COFFEY
  4144   MONROE SAVINGS BANK                          FLANNERY
  4145   CREDIT BANK                                  ZIMMERMAN
  4146   FIDELITY BANK, N.A.                          TRUELSON
  4147   TYLER NATIONAL BANK                          PULLIAM
  4148   CITIZENS NATIONAL BANK                       DAVIS
  4149   COMMERCE BANK OF TAMPA                       ZIMMERMAN
  4150   FIRST NATIONAL BANK OF COLBERT               SAUNDERS
  4151   HUFFMAN BANK                                 TAYLOR
  4152   NORTHWAY NATIONAL BANK                       TRUELSON
  4153   GATEWAY NATIONAL BANK                        VAN BERG
  4154   FIRST STATE BANK OF REGENT                   SATTERWHITE
  4155   RED RIVER BANK                               POWALSKI
  4156   BANK OF RUIDOSO                              VAN BERG
  4158   SEARCH NATIONAL BANK                         TAYLOR
  4159   COMMUNITY STATE BANK                         TAYLOR
  4160   UNIVERSITY NATIONAL BANK                     TAYLOR
  4161   FARMERS STATE BANK, SCHULENBURG              COFFEY
  4162   CITIZENS NATIONAL BANK                       TRUELSON
  4163   FIRST BANK NATIONAL ASSOCIATION              FLANNERY
  4164   BANK OF MEEKER                               PULLIAM
  4165   LIBERTY CITY STATE BANK                      FLETCHER
  4166   INDEPENDENT NATIONAL BANK                    POWALSKI
  4167   MIAMI NATIONAL BANK                          ZIMMERMAN
  4168   COMMUNITY BANK                               DERAMUS
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FIN	BANK_NAME	FDIC_ATTY
4169	AMERICAN BANK	FLETCHER
4170	WALLER BANK	DERAMUS
4171	THE CENTRAL NATIONAL BANK OF SAN ANGELO	SAUNDERS
4173	FIRST NATIONAL BANK, GARLAND	DERAMUS
4174	CROWN BANK, N.A.	COFFEY
4175	EVERMAN NATIONAL BANK & TRUST	TRUELSON
4176	IMPERIAL BANK	HAYGOOD
4177	FIRST BANK & TRUST	FLETCHER
4178	CHAMPIONS POINT NATIONAL BANK	SAUNDERS
4179	BAZINE STATE BANK	SATTERWHITE
4180	SEAMAN'S BANK FOR SAVINGS	SCHWARTZ
4181	CORINTH DEPOSIT NATIONAL BANK	HAYGOOD
4182	ACADIANA NATIONAL BANK	ALEXIS
4183	FIRST STATE BANK OF CRANDALL	TAYLOR
4184	SECURITY NATIONAL BANK, ELGIN	SAUNDERS
4185	COVE STATE BANK	SAUNDERS
4186	CHAS SCHREINER BANK	SCHWARTZ
4187	BERGEN PARK NATIONAL BANK	VAN BERG
4188	TRINITY NATIONAL BANK	FLETCHER
4189	SIGNATURE BANK, N.A.	PULLIAM
4190	GUARDIAN BANK	DOUEK
4191	CENTRAL ARIZONA BANK	DORSEY
4192	FIRST NATIONAL BANK, NORTHEAST	KOERNER
4193	RICHARDSON NATIONAL BANK	TRUELSON
4194	TUCKER STATE BANK OF JACKSONVILLE	HAYGOOD
4195	CHANCERY NATIONAL BANK	POWALSKI
4196	COMMONWEALTH NATIONAL BANK	FLETCHER
4197	FIRST NATIONAL BANK OF GRAND SALINE	DERAMUS
4198	FIRST NATIONAL BANK, DE SOTO	DERAMUS
4199	DOMINION NATIONAL BANK	DAVIDOVICH
4200	FIRST NATIONAL BANK, GEORGETOWN	TRUELSON
4201	FIRST TAYLOR NATIONAL BANK	TAYLOR
4202	MERCHANTS BANK OF BOSTON	TOPPING
4204	FARMERS STATE BANK OF BROOKSHIRE	COFFEY
4205	GENTRY COUNTY BANK	GLASER
4206	MIDWAY NATIONAL BANK	FLETCHER
4207	MEMORIAL BANK	KOERNER
4208	HUNTSVILLE NATIONAL BANK	TAYLOR
4210	WILSHIRE BANK	VAN BERG
4211	HOME NATIONAL BANK OF MILFORD	DAVIDOVICH
4212	NATIONAL BANKSHARES CORP. OF TEXAS	GILL
4221	HULEN NATIONAL BANK	SAUNDERS
4222	CLIFTON NATIONAL BANK	SAUNDERS
4223	TEXAS NATIONAL BANK	TRUELSON
4224	RICHMARK BANK	DERAMUS
4226	ALLIANCE BANK	TAYLOR
4227	THE WIMBERLY BANK	FLETCHER
4228	WILLOW BEND NATIONAL BANK	PULLIAM
4229	EXCHANGE NATIONAL BANK	COFFEY
4230	NATIONAL CITY BANK	VAN BERG
4231	BANK M MIAMI	HAYGOOD

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 PIN    BANK_NAME                                FDIC_ATTY
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 4232   FARMER'S MERCHANTS BANK                  DOUEK
 4233   BANK OF EAST TEXAS                       SAUNDERS
 4235   LAKELAND STATE BANK                      FLETCHER
 4237   BACLIFF BANK, N.A.                       COFFEY
 4238   VALLEY VIEW NATIONAL BANK                SAUNDERS
 4239   AMERICAN NATIONAL BANK                   TAYLOR
 4240   SOUTHWEST NATIONAL BANK                  DERAMUS
 4241   BROOKWOOD NATIONAL BANK                  TRUELSON
 4243   MONTGOMERY NATIONAL BANK                 FLANNERY
 4244   CAPITAL NATIONAL BANK                    FLANNERY
 4245   MILFORD SAVINGS BANK                     DAVIDOVICH
 4246   IREDELL STATE BANK                       FLETCHER
 4247   AMERICAN NATIONAL BANK                   TRUELSON
 4248   PERMANENT SAVINGS BANK                   FLANNERY
 4249   BANK OF WILSON                           PULLIAM
 4251   CONTINENTAL BANK                         GLASER
 4252   FIRST NATIONAL BANK                      HINDS
 4254   AMERICAN BANK AND TRUST                  ALEXIS
 4256   FIRST NATIONAL BANK OF CORPUS CHRISTI    FLANNERY
 4259   CAPITAL BANK & TRUST                     FLETCHER
 4260   CITY NATIONAL BANK                       TAYLOR
 4262   FIRST BANK OF PLANO                      DERAMUS
 4263   SECURITY NATIONAL BANK                   COFFEY
 4264   AMERICAN BANK OF COMMERCE, N.A.          FLETCHER
 4265   FIRST NATIONAL BANK                      HINDS
 4266   CHISHOLM NATIONAL BANK                   SAUNDERS
 4267   BAY CITY BANK & TRUST                    PULLIAM
 4268   CITIZENS NATIONAL BANK                   PULLIAM
 4269   NORTHSIDE STATE BANK                     TRUELSON
 4270   FIRST NATIONAL BANK OF KENNEDALE         TRUELSON
 4271   CITIZENS BANK                            PULLIAM
 4272   WESTERN NATIONAL BANK                    SAUNDERS
 4274   INGRAM STATE BANK                        FLETCHER
 4275   CITIZENS NATIONAL BANK                   HINDS
 4868   SECURITY SAVINGS ASSOCIATION             COFFEY
 5075   MULTIBANC SA                             LOLLMAN
 5464   SEMINOLE STATE NATIONAL BANK             MCGUIRE
 5468   SECURITY NATIONAL BANK OF LUBBOCK        MCGUIRE
 5476   FIRST NATIONAL BANK                      MCGUIRE
 5636   CY-FAIR, N.A.                            TAYLOR
 5638   FARMERS & MERCHANTS NAT'L OF HENNESSEY   DILL
 5702   PETROBANK                                TRUELSON
 5744   AMERICAN NATIONAL BANK EAST RIDGE        MCGUIRE
 5757   INDEPENDENT NATIONAL BANK                DOUEK
 5779   CORDELL NATIONAL BANK                    DERAMUS
 5795   FIRST NATIONAL BANK OF MARLBORO          DORSEY
 5809   SECURITY NATIONAL BANK OF MIDLAND        TAYLOR
 5821   FIRST NATIONAL BANK IN WEST CONCORD      PATRICK
 5821   NORTH CENTRAL NATIONAL BANK              PULLIAM
 5851   NORTH CENTRAL NATIONAL BANK              PULLIAM
 5857   NORTH AMERICAN NATIONAL BANK             KUMIN
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  FIN    BANK_NAME                                          FDIC_ATTY
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  5866   TEXAS INVESTMENT BANK, N.A.                        DERAMUS
  5867   TEXAS NATIONAL BANK OF WESTHEIMER                  ROBB
  5889   FIRST NATIONAL BANK OF YUKON                       ANDERSON
  5891   EMPIRE NATIONAL BANK                               VAN BERG
  5901   BANK OF NORTH AMERICA                              DAVIS
  5902   FIRST NATIONAL BANK OF HAMMON                      PATRICK
  5903   FIRST NATIONAL BANK OF TIPTON                      PATRICK
  5905   STOCKMAN BANK & TRUST COMPANY                      KUMIN
  5906   MAYFIELD STATE BANK OF MAYFIELD                    PATRICK
  5907   MURDOCK STATE BANK                                 PATRICK
  5908   WESTERN BANK                                       TAYLOR
  5909   STATE BANK OF GREENWALD                            PATRICK
  5913   YANKEE BANK FOR FINANCE & SAVINGS                  ROBINSON
  5915   ALASKA NATIONAL BANK OF THE NORTH                  DOUEK
  5920   COMMERCE BANK PLANO                                PATRICK
  5921   NORTH AMERICAN BANK                                DAVIDOVICH
  5922   BALBOA NATIONAL BANK                               JONES
  5923   NORTHWEST BANK                                     TRUELSON
  5924   HOUSTON COMMERCE BANK                              TAYLOR
  5925   TRUST BANK                                         DOUEK
  5926   FIRST HOUSTON BANK                                 ALEXIS
  5927   HARRIS COUNTY BANK                                 ROSS
  5929   FIRST NAT'L BANK & TRUST OF CUSHING                PULLIAM
  5930   FIRST AMERICAN BANK&TRUST OF FRIENDSWOOD           FLETCHER
  5931   FIRST AMERICAN BANK & TRUST OF MANVEL              FLETCHER
  5932   HAYESVILLE SAVINGS BANK                            ROSS
  5933   FIRST INTER-COUNTY BANK OF NEW YORK                SCHWARTZ
  5935   HOME STATE BANK                                    COFFEY
  5937   METROPOLITAN INDUSTRIAL PARK                       VAN BERG
  5938   TEXAS NATIONAL BANK                                ROSS
  5939   CITIZENS NATIONAL BANK                             DORSEY
  5941   FIRST CAPITOL BANK                                 ROSS
  5942   WESTLAKE THRIFT & LOAN                             HINDES
  5944   COMMERCIAL STATE BANK                              DOUEK
  5946   CAPITAL NATIONAL BANK                              PULLIAM
  5948   ROUND ROCK NATIONAL BANK                           FLETCHER
  5949   SOUTHWEST NATIONAL BANK                            FLETCHER
  5950   MT. ZION STATE BANK                                SATTERWHITE
  5952   BANK OF THE NORTHWEST                              DERAMUS
  5953   FIRST NATIONAL BANK                                ALEXIS
  5954   TEXANA NATIONAL BANK                               ROSS
  5955   RESOURCE NATIONAL BANK                             ROSS
  5956   COMMUNITY BANK                                     TRUELSON
  5957   FIRST CONTINENTAL NATIONAL BANK                    COFFEY
  5959   TEXAS NATIONAL BANK                                ROBB
  5960   FIRST STATE BANK                                   GLASER
  5961   BANKERS TRUST OF LOUISIANA                         JONES
  5962   MBANK ABILENE                                      TOPPING
  5963   FIRST SERVICE BANK FOR SAVINGS                     KUMIN
  5964   PREMIER BANK N.A.                                  TRUELSON
  5965   INTERSTATE BANK OF COMMERCE                        DORSEY
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  FIN     BANK_NAME                                   FDIC_ATTY
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  5967    GRAND CANYON STATE BANK                     VAN BERG
  5968    BANK OF AURORA                              KUMIN
  5969    FULSHEAR STATE BANK                         FLETCHER
  5970    LAKE COUNTRY NATIONAL BANK                  HINDS
  5971    FIRST AMERICAN BANK                         COFFEY
  5972    CAPITAL BANK - NORTHWEST, N.A.              COFFEY
  5973    GUARDIAN BANK, N.A.                         ROBB
  5974    INDEPENDENT BANK - EAST, N.A.               LEWIS
  5975    102 VALLEY                                  LEWIS
  5976    BENNETT NATIONAL                            JONES
  5977    INDEPENDENT BANK                            LEWIS
  5978    FALLBROOK NATIONAL BANK                     TRUELSON
  5979    FORESTWOOD NATIONAL BANK                    FLETCHER
  5980    EMPIRE STATE BANK                           JONES
  5981    PARK FORTY FIVE NATIONAL BANK               SAUNDERS
  5982    DAKOTA BANK                                 GLASER
  5983    PARK CENTRAL BANK, N.A.                     PULLIAM
  5984    SUMMIT BANK                                 SAUNDERS
  5985    BURR OAK STATE BANK                         LEWIS
  5986    LIBERTY BANK                                DAVIDOVICH
  5987    LASALLE STATE BANK                          JONES
  5988    THOUSAND OAKS NATIONAL BANK                 TRUELSON
  5989    FIRST BANK AND TRUST OF BOSSIER CITY        ALEXIS
  5990    PRAIRIE STATE BANK                          TRUELSON
  5991    KIRBY STATE BANK                            HINDS
  5992    MEDCENTRE BANK, N.A.                        PULLIAM
  5993    ROSE CAPITAL BANK                           COFFEY
  5995    NATIONAL BANK OF ARIZONA                    DAVIDOVICH
  5996    OLLA STATE BANK                             WONG
  5997    STRAWN SECURITY BANK                        FLETCHER
  5998    COMMONWEALTH BANK OF ARLINGTON              DERAMUS
  5999    FIRST NATIONAL BANK OF VAIL                 JONES
  6465    HERITAGE BANK                               GILBERT
  6471    UNITED OF AMERICA BANK                      GLASER
  6473    WEST COAST BANK                             DOUEK
  6488    STEWARDSHIP BANK OF OREGON                  ANDERSON
  6492    REPUBLIC BANK OF KANSAS CITY                LEWIS
  6602    STATE BANK OF BRONSON                       KUMIN
  6626    YELLOWSTONE STATE BANK                      MCGUIRE
  6652    AMERICAN BANK OF CASPER                     MCGUIRE
  6657    VALENCIA BANK                               DOUEK
  6707    AMERICAN BANK                               PATRICK
  6708    UNION DEPOSIT BANK                          DOUEK
  6743    BUENA VISTA BANK & TRUST COMPANY            DOUEK
  6796    FIRST SIERRA BANK                           ZIMMERMAN
  6828    BEAVER CREEK STATE BANK                     DOUEK
  6843    CITIZENS STATE BANK                         PATRICK
  6852    HERITAGE BANK AND TRUST                     WILLIAMS
  6894    BAYSHORE BANK OF FLORIDA                    DOUEK
  6896    FIRST STATE BANK                            PATRICK
  6902    LIBERTY FS&LA                               RIGBY
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  FIN    BANK_NAME                                          FDIC_ATTY
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  6904   FIRST SAVINGS OF AMERICA, A FS&LA                  SOFFER
  6905   EVANGELINE FS&LA                                   ZISSMAN
  6906   FIRST FS&LA OF COFFEYVILLE                         ZISSMAN
  6907   CENTURY S&LA                                       STUART
  6908   SIOUX VALLEY S&LA                                  SOFFER
  6909   HOME FS&LA                                         MCCLELLAN
  6910   FIRST FS&LA, MALVERN                               RIGBY
  6911   PERPETUAL SAVINGS ASSOCIATION, A FS&LA             TIBOLLA
  6912   CITY S&LA                                          TIBOLLA
  6917   NILE VALLEY FS&LA                                  GREEN
  6918   FIRST SAVINGS OF LOUISIANA FSA                     ZISSMAN
  6919   HUMBLE S&LA                                        GONZALEZ
  6922   VILLAGE SAVINGS FSB                                FORMAN
  6923   FIRST CAPITAL SA OF TEXAS                          FORMAN
  6924   UNIFIED SAVINGS A FS&LA                            PALAU
  6925   FIRST CALIFORNIA SAVINGS FSB                       PALAU
  6926   TRINITY VALLEY S&LA                                FORMAN
  6930   SOUTHERN FSB                                       RIGBY
  6932   CARVER S&LA                                        BRESLAW
  6934   SIGNAL S&LA                                        GREEN
  6936   VALLEY FEDERAL SAVINGS BANK                        ZISSMAN
  6938   UNIVERSITY SA                                      PALAU
  6939   HILL FINANCIAL SA                                  MCCLELLAN
  6940   PACIFIC SAVINGS BANK                               BRESLAW
  6942   FIRST SAVINGS BANK OF ALABAMA, FA                  MCCLELLAN
  6943   LIBERTY BELL SA                                    ABRAMSON
  6944   CONCORD/LIBERTY FS&LA                              BRESLAW
  6945   SEABANK SAVINGS, FSB                               ZISSMAN
  6946   PEOPLES HERITAGE SAVINGS, A FS&LA                  MCCLELLAN
  6947   HOME SAVINGS BANK                                  GREEN
  6948   FIRST FEDERAL BANK OF ALASKA SB                    GREEN
  6949   MODERN FS&LA                                       ABRAMSON
  6950   UNIVERSAL S&LA, A FS&LA                            TIBOLLA
  6952   BRIGHT BANC, SA                                    MCCLELLAN
  6953   MESA FS&LA OF COLORADO                             ABRAMSON
  6954   VALLEY FS&LA OF GRAND JUNCTION                     SOFFER
  6955   SKOKIE FS&LA                                       ABRAMSON
  6956   COLORADO S&LA                                      GREEN
  6957   COMMUNITY S&LA                                     SOFFER
  6962   MERIDIAN SA                                        GONZALEZ
  6969   LIBERTYVILLE FS&LA                                 BRESLAW
  6974   FIRST FS&LA OF THE FLORIDA KEYS                    MCCLELLAN
  6983   MISSION SA OF TEXAS                                GONZALEZ
  7002   WASHINGTON S&LA                                    BRESLAW
  7003   CABRILLO SB                                        BRESLAW
  7005   HALLMARK SA                                        GONZALEZ
  7010   BROADVIEW FSB                                      BRESLAW
  7012   MADISON COUNTY FS&LA                               BRESLAW
  7020   NORTH AMERICAN FSA                                 GONZALEZ
  7028   DESERET FS&LA                                      BRESLAW
  7029   MOUNTAINWEST S&LA, A FS&LA                         BRESLAW
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 FIN    BANK_NAME                                         FDIC_ATTY
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 7031   CONCORDIA FEDERAL BANK FOR SAVINGS                BRESLAW
 7038   NEW BRAUNFELS S&LA                                GONZALEZ
 7042   SARATOGA S&LA                                     BRESLAW
 7054   AMERICAN SAVINGS, A FS&LA                         BRESLAW
 7088   LANDMARK SAVINGS BANK FSB                         BRESLAW
 7101   CAPITAL S&LA                                      BRESLAW
 7117   FIRST FS&LA OF COLORADO SPRINGS                   BRESLAW
 7121   UNITED FSB                                        BRESLAW
 7134   SECURITY S&LA, FA                                 BRESLAW
 7151   CAGUAS-CENTRAL FSB OF PR                          BRESLAW
 7518   COMMUNITY FS&LA                                   HAYGOOD
 7521   MONTANA FS&LA                                     HINDES
 7547   FIRST SAVINGS & LOAN ASSOCIATION                  TAYLOR
 7553   EQUITABLE S&LA                                    ROSENAK
 7555   SUMMIT S&LA                                       WILLIAMS
 7558   FRONTIER S&LA                                     WILLIAMS
 7568   FIRST FS&LA OF PADUCAH                            SATTERWHITE
 7579   VICTOR FEDERAL SAVINGS & LOAN                     TAYLOR
 7582   ULTIMATE SB                                       ROSENAK
 7619   FLUSHING FS&LA                                    ROBB
 7706   PIONEER S&L                                       BRESLAW
 7714   SUPERIOR SA                                       TIBOLLA
 7720   MERCER SB S&LA                                    PALAU
 7726   MID-AMERICA FS&LA
 7735   SUMMIT FIRST                                      TIBOLLA
 7741   FIRST FEDERAL SAVINGS & LOAN                      FORMAN
 7743   ENTERPRISE SB, FSB
 7745   COMFED SB                                         ANDERSEN
 7753   AMERICAN S&LA                                     GREEN
 7756   FIRST FS&LA, RALEIGH
 7762   MAINSTAY FSB                                      MCCLELLAN
 7767   UNITED SAVINGS OF AMERICA, FA
 7771   GERMANIABANK, A FSB                               ZISSMAN
 7783   PROFESSIONAL SB                                   BRESLAW
 7792   FRONTIER SA
 7801   UNITED SAVINGS BANK                               PALAU
 7812   FIRST CITY FS&LA                                  ZISSMAN
 7814   AMIGO FEDERAL SAVINGS & LOAN                      STUART
 7815   HERITAGE SA                                       ZISSMAN
 7832   AMBASSADOR S&LA                                   MCCLELLAN
 7834   CITIZENS & BUILDERS FSB                           ANDERSEN
 7843   FINANCIAL FSB                                     RIGBY
 7858   STATESMAN BANK FOR SAVINGS, FSB                   SOFFER
 7863   SENTRY FSB                                        RIGBY
 7864   YORKVILLE FS&LA                                   SOFFER
 8029   MID VALLEY BANK                                   SCHWARTZ
 8030   BANCOKLAHOMA CORP                                 GILL
 8036   BANCTEXAS GROUP, INC.                             KUMIN
 8040   FIRST CITY BANCORPORATION OF TEXAS                KUMIN
 8044   AMERICAN NATIONAL BANK                            SATTERWHITE
 8045   COMMERCIAL BANK                                   HAYGOOD
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FIN	BANK_NAME	FDIC_ATTY
8103	ROCKY MOUNTAIN NATIONAL BANK	VAN BERG
8201	BEN FRANKLIN FS&LA	PALAU
8202	STATE FS&LA	FORMAN
8203	FIRST S&L CO.	ABRAMSON
8204	FIRST ANNAPOLIS SB, FSB	ABRAMSON
8206	IMPERIAL SAVINGS ASSOCIATION	ABRAMSON
8207	CAPITOL FS&LA OF DENVER	PALAU
8212	ROYAL OAK FS&LA	
8213	SANTA BARBARA S&LA	ANDERSEN
8214	HIAWATHA S&LA	ZISSMAN
8216	NORTH TEXAS OF WICHITA FALLS	STUART
8217	COMMUNITY FS&LA	
8219	FIDELITY S&LA OF DANVILLE	SOFFER
8220	GEM CITY S&LA	SOFFER
8221	MUTUAL S&LA	STUART
8224	GREAT AMERICAN FS&LA	ABRAMSON
8225	ST. LOUIS COUNTY FS&LA OF FERGUSON	BRESLAW
8226	FIRST FS&LA OF BISMARCK	GREEN
8227	HORIZON FSB	BRESLAW
8228	FIRST FEDERAL S&L	STUART
8229	CENTRUST BANK, A STATE SAVINGS BANK	ANDERSEN
8234	FIRST FS&LA	ANDERSEN
8235	NASSAU FS&LA	PALAU
8236	ABQ BANK, A FSB	ZISSMAN
8237	JENNINGS FS&LA	SOFFER
8238	LAKELAND FEDERAL SAVINGS BANK	ABRAMSON
8240	FIRST FS&LA OF PITTSBURGH	
8246	PROGRESSIVE FSB	RIGBY
8248	HERITAGE FSB	MCCLELLAN
8249	FIRST FS&LA	STUART
8251	FIRST FS&LA	ROGERS
8252	VANGUARD FEDERAL SAVINGS BANK	ANDERSEN
8253	MARSHALL FS&LA	ROGERS
8256	SWEETWATER FS&LA	ZISSMAN
8262	AMERICAN FS&LA OF IOWA	BRESLAW
8268	VERMONT FS&LA	ANDERSEN
8269	COMMONWEALTH FSA	ANDERSEN
8271	FIRSTCENTRAL BANK, A FSB	MCCLELLAN
8273	WHITESTONE SAVINGS, FA	PALAU
8274	PEOPLES FS&LA	ROGERS
8275	COLONIAL FS&LA	ABRAMSON
8276	HOMETOWN S&LA, FA	TIBOLLA
8277	EMPIRE OF AMERICA FSB	ABRAMSON
8278	YORKWOOD S&LA	BRESLAW
8279	FIRST STANDARD SAVINGS FA	ABRAMSON
8280	SOUTHWEST SA	PALAU
8281	ARLINGTON HEIGHTS FS&LA	SOFFER
8282	OLD BOROUGH S&LA	
8284	SECURITY FS&LA	ANDERSEN
8285	FIRST BANKERS TRUST & SA	STUART
8287	NASSAU S&LA	PALAU

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FIN	BANK_NAME	FDIC_ATTY
8288	PIONEER SAVINGS BANK	ANDERSEN
8289	FIRST FS&LA (GREENWOOD S&LA?)	RIGBY
8290	SUPERIOR FEDERAL SAVINGS BANK	ROGERS
8292	BANNERBANC SAVINGS ASSOCIATION	FORMAN
8294	COMMUNITY SB OF EAST MOLINE	SOFFER
8295	SAVINGS BANC, A S&LA	FORMAN
8297	NEW ATHENS S&LA	GREEN
8298	COLONIAL SAVINGS, A FEDERAL ASSOCIATION	ZISSMAN
8299	FIRST FS&LA, WARNER ROBINS	GREEN
8303	CITY FS&LA	TIBOLLA
8304	GUARANTY FS&LA	ZISSMAN
8305	BALDWIN COUNTY FEDERAL SAVINGS BANK	MCCLELLAN
8306	PHENIX FS&LA FA	RIGBY
8308	FIRST FS OF ARKANSAS, FA	MCCLELLAN
8309	SAVERS FS&LA	ZISSMAN
8310	INDEPENDENCE FS&LA	ZISSMAN
8312	FIRST FS&LA, FAYETTEVILLE	TIBOLLA
8313	MADISON GUARANTY S&LA	BRESLAW
8314	FIRST STATE SAVINGS BANK FSB	ZISSMAN
8317	COMMONWEALTH S&LA	BRESLAW
8318	UNIPOINT FEDERAL SAVINGS BANK	ANDERSEN
8319	SECURITY S&LA	PALAU
8321	WESTWOOD S&LA	PALAU
8324	FOUNDERS S&LA	TIBOLLA
8326	GATEWAY FED. SAVINGS BANK	ABRAMSON
8328	ARROWHEAD PACIFIC FED. SAVINGS BANK	TIBOLLA
8332	ROYAL OAK S&LA	TIBOLLA
8334	CITY FEDERAL S&LA	SOFFER
8338	ALPINE FS&LA	SOFFER
8339	ROCKY MOUNTAIN S&LA	GREEN
8340	EQUITY FSB	SOFFER
8341	COLUMBIA FEDERAL SAVINGS BANK	SOFFER
8342	FREEDOM S&LA A FS&LA	RIGBY
8344	FIRST FS&LA, LARGO	ANDERSEN
8346	MIAMI SAVINGS BANK	RIGBY
8347	FINANCIAL SECURITY S&LA	RIGBY
8348	SOUTHERN FLORIDABANC FS&LA	MCCLELLAN
8351	FIRST VENICE S&LA	RIGBY
8353	BRICKELLBANC SA	ANDERSEN
8356	COMMUNITY FS&LA	MCCLELLAN
8357	FIRST FS&LA, ATLANTA	ZISSMAN
8358	CARTERSVILLE FEDERAL	ZISSMAN
8359	FIRST FS&LA, SUMMERVILLE	RIGBY
8363	HOME FS&LA OF JOLIET	SOFFER
8365	MIDWEST HOME FSB	ABRAMSON
8366	MIDWESTERN SA	SOFFER
8368	AMERICAN SECURITY FS&LA	ABRAMSON
8369	CHILLICOTHE FS&LA	SOFFER
8370	HOME FS&LA OF CENTRALIA	BRESLAW
8376	ANCHOR SA	ZISSMAN
8377	VALLEY SAVINGS, A FS&LA	ANDERSEN

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FIN	BANK_NAME	FDIC_ATTY
8378	SHAWNEE FS&LA	TIBOLLA
8379	SUN SAVINGS ASSOCIATION, FA	ZISSMAN
8380	FIRST FS&LA OF HUTCHINSON	ZISSMAN
8381	FIRST FSB OF KANSAS	RIGBY
8383	TOPEKA SAVINGS, A FS&LA	RIGBY
8384	PEOPLES S&LA	TIBOLLA
8385	MID/AMERICA FS&LA	ZISSMAN
8386	COLONIAL SA OF AMERICA	ANDERSEN
8387	FIRST OF KANSAS SAVINGS, A FS&LA	MCCLELLAN
8388	BARBER COUNTY S&LA	ANDERSEN
8389	SECURITY FEDERAL HOMESTEAD ASSN.	BRESLAW
8390	HORIZON FS&LA	ZISSMAN
8391	SOUTH S&LA	TIBOLLA
8392	FRENCH MARKET HOMESTEAD, FSA	ANDERSEN
8393	FIRST FS&LA, SHREVEPORT	MCCLELLAN
8394	DELTA S&LA, FA	ZISSMAN
8395	FIRST LOUISIANA FSB	MCCLELLAN
8396	ACADIA S&LA, A FSA	ANDERSEN
8397	AMERICAN S&LA	ZISSMAN
8398	FIRST FS&LA, NEW IBERIA	RIGBY
8399	ENTERPRISE FS&LA	ZISSMAN
8400	RIVER CITY FSB	RIGBY
8401	CENTRAL S&LA	RIGBY
8402	ELMWOOD FS&LA	ZISSMAN
8403	FOUNTAINEBLEAU FSB	TIBOLLA
8404	FIRST FS&LA, BATON ROUGE	ANDERSEN
8406	TERREBONNE S&LA	MCCLELLAN
8407	FIRST CITY FS&LA, BATON ROUGE	RIGBY
8409	FIRST FS&LA, EUNICE	MCCLELLAN
8410	PEOPLES FS&LA OF THIBODAUX	ANDERSEN
8411	BALTIMORE FEDERAL FINANCIAL, FSA	SOFFER
8412	GIBRALTAR FEDERAL SAVINGS BANK FSB	SOFFER
8414	PEOPLES SA, FA	ABRAMSON
8415	BLUE VALLEY FS&LA	MCCLELLAN
8416	MISSOURI SA, FA	PALAU
8417	FIRST FS&LA OF SOUTHEAST MISSOURI	ZISSMAN
8418	FINANCIAL FS&LA	ZISSMAN
8419	MID MISSOURI S&LA, FA	ZISSMAN
8420	CASS FS&LA OF ST. LOUIS	RIGBY
8421	FIDELITY FSB	RIGBY
8422	CENTRAL S&LA	MCCLELLAN
8423	REPUBLIC BANK FOR SAVINGS FA	ANDERSEN
8425	DELTA FS&LA	MCCLELLAN
8426	STATE MUTUAL FS&LA	MCCLELLAN
8427	HERITAGE FS&LA	ANDERSEN
8428	GREAT ATLANTIC SB FSB	TIBOLLA
8430	OCCIDENTAL/NEBRASKA FSB	SOFFER
8431	PLATTE VALLEY SAVINGS, A FS&LA	GREEN
8432	EQUITABLE FSB	ABRAMSON
8433	MIDWEST FEDERAL FS&LA	ZISSMAN
8435	NORTH JERSEY S&LA	ABRAMSON

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 FIN    BANK_NAME                                    FDIC_ATTY
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 8436   ELYSIAN FSB                                  SOFFER
 8438   METROPOLITAN FS&LA                           GREEN
 8439   SANDIA FSA                                   PALAU
 8441   AMERICAN FS&LA                               TIBOLLA
 8442   VALLEY SAVINGS BANK, FSB                     PALAU
 8443   SUN COUNTRY SB OF NEW MEXICO FSB             TIBOLLA
 8444   MIDLAND/BUCKEYE SAVINGS, A FS&LA             GREEN
 8445   CONTINENTAL FS&LA, FA                        TIBOLLA
 8446   FAMILY FEDERAL SAVINGS BANK                  ROGERS
 8447   FIRST FS&LA OF SEMINOLE                      PALAU
 8451   LINCOLN FS&LA                                MCCLELLAN
 8453   UNITED GUARANTY FSB                          ANDERSEN
 8456   BENJAMIN FRANKLIN FSA                        BRESLAW
 8457   COMMONWEALTH FSA                             GREEN
 8458   MURRAY SA                                    ABRAMSON
 8459   GILL SA                                      ANDERSEN
 8460   BANCPLUS SA                                  GREEN
 8461   COMMERCE FSA                                 SOFFER
 8462   RESOURCE SA                                  GONZALEZ
 8463   ALAMO FSA OF TEXAS                           GONZALEZ
 8464   MERITBANC SA                                 ROGERS
 8465   AMERICAN S&LA OF BRAZORIA                    GONZALEZ
 8466   FIRST SOUTH SA                               WEIGHT
 8467   FIRST STATE FSA                              STUART
 8468   SECURITY FSA                                 PALAU
 8469   CENTRAL TEXAS S&LA                           FORMAN
 8470   AMERIWAY SAVINGS                             ROGERS
 8471   SPINDLETOP SA                                WEIGHT
 8472   WESTERN GULF S&LA                            WEIGHT
 8473   JASPER, FS&LA                                STUART
 8474   UNIVERSAL SA                                 GONZALEZ
 8476   JEFFERSON S&LA                               GONZALEZ
 8477   CENTENNIAL SB FSB                            WEIGHT
 8478   BANKERS S&LA                                 GONZALEZ
 8479   SPRING BRANCH S&LA                           WEIGHT
 8481   SOUTHMOST S&LA                               ROGERS
 8485   VISION BANC SA                               ROGERS
 8486   FIRST EQUITY SA                              FORMAN
 8487   CITIZENS OF TEXAS S&LA                       FORMAN
 8489   SAVINGS OF TEXAS ASSOCIATION                 STUART
 8490   LA HACIENDA SA                               ROGERS
 8491   PALO DURO S&LA                               FORMAN
 8493   TIMBERLAND SA                                GONZALEZ
 8495   DEEP EAST TEXAS SA                           ROGERS
 8497   FIRST SA OF SOUTHEAST TEXAS                  ROGERS
 8498   SOUTHSIDE S&LA                               ROGERS
 8499   LIBERTY COUNTY FS&LA                         GONZALEZ
 8500   RUSK FS&LA                                   GONZALEZ
 8501   SOUTHEASTERN SA                              ROGERS
 8502   FEDERAL SAVINGSBANC OF THE SOUTHWEST         WEIGHT
 8503   SABINE VALLEY S&LA                           ROGERS
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 FIN    BANK_NAME                                          FDIC_ATTY
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 8504   BAYSHORE SA                                        FORMAN
 8505   AMERICAN FSB                                       ROGERS
 8507   CITY SA                                            WEIGHT
 8508   SOUTHEAST TEXAS S&LA                               STUART
 8509   GOLDEN TRIANGLE S&LA                               GONZALEZ
 8510   GOLDEN CIRCLE SA, FSB                              ROGERS
 8511   PADRE FS&LA                                        WEIGHT
 8512   STANDARD SAVINGS ASSOCIATION                       STUART
 8513   PERMIAN S&LA                                       FORMAN
 8517   COMMUNITY FS&LA                                    GREEN
 8520   DURAND FS&LA                                       GREEN
 8521   MIDWEST FS&LA                                      BRESLAW
 8522   SOUTHWEST S&LA                                     RIGBY
 8525   AMERICAN FS&LA OF COLORADO                         GREEN
 8526   INDEPENDENCE S&LA                                  PALAU
 8528   SUN S&LA                                           PALAU
 8529   OTERO S&LA                                         TIBOLLA
 8531   LINCOLN S&LA                                       MCCLELLAN
 8533   ROYAL PALM SAVINGS BANK                            RIGBY
 8534   FIRST FS&LA OF ESTHERVILLE & EMMETSBURG            ZISSMAN
 8537   ILLINOIS SAVINGS BANK, FA                          GREEN
 8538   CITIZENS HOMESTEAD ASSN.                           ZISSMAN
 8539   FAMILY S&LA                                        MCCLELLAN
 8540   GERMANTOWN TRUST SB                                RIGBY
 8543   CENTURY FSB                                        RIGBY
 8544   CONTINENTAL SAVINGS, A FS&LA                       ROGERS
 8545   GENERAL SA                                         STUART
 8546   DUNCAN S&LA                                        FORMAN
 8547   SUBURBAN SA                                        GONZALEZ
 8548   EXCEL BANC SA                                      FORMAN
 8549   BEXAR SA                                           GREEN
 8550   SAN ANTONIO SA, FA                                 PALAU
 8551   FIDELITY S&LA                                      STUART
 8552   HERITAGEBANC SA                                    ROGERS
 8554   FIRST FS&LA OF EAST ALTON                          BRESLAW
 8556   VICTORIA SA                                        FORMAN
 8557   GIBRALTAR SAVINGS                                  ANDERSEN
 8558   GIBRALTAR SAVINGS, FA                              ANDERSEN
 8560   LINCOLN FS&LA                                      MCCLELLAN
 8561   SOUTHWEST S&LA                                     PALAU
 8562   WESTCO SAVINGS BANK, FSB                           TIBOLLA
 8563   SUN STATE S&LA, F.S.A.                             PALAU
 8564   GUARDIAN FS&LA                                     TIBOLLA
 8565   AMERICAN INTERSTATE SAVINGS, FS&LA                 TIBOLLA
 8567   COLORADO FEDERAL SAVINGS BANK                      PALAU
 8568   FIRST FS&LA, AMERICUS                              RIGBY
 8569   HABERSHAM FSB                                      MCCLELLAN
 8570   GREAT SOUTHERN FSB                                 MCCLELLAN
 8571   BANC IOWA SAVINGS BANK                             GREEN
 8572   AMERIMAC SAVINGS BANK, FSB                         SOFFER
 8573   PIONEER FS&LA                                      SOFFER
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 FIN    BANK_NAME                                          FDIC_ATTY
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 8576   MID KANSAS S&LA, F.A.                              ANDERSEN
 8577   HOME S&LA                                          TIBOLLA
 8578   LIBERTY FEDERAL SAVINGS BANK                       GREEN
 8579   NEW GUARANTY FSB                                   SOFFER
 8580   NEW MEXICO FSA                                     PALAU
 8581   CIVIC SB                                           BRESLAW
 8583   HORIZON FINANCIAL, FA                              ABRAMSON
 8584   HOME FS&LA                                         TIBOLLA
 8585   AUSTIN SAVINGS ASSOCIATION                         GONZALEZ
 8586   HEARNE BUILDING & LOAN ASSOC                       FORMAN
 8587   PLANO SAVINGS & LOAN ASSOC.                        WEIGHT
 8588   TAYLORBANC SAVINGS ASSOC                           STUART
 8589   EAST TEXAS S&LA                                    WEIGHT
 8590   FIRST S&LA                                         WEIGHT
 8591   PEOPLES S&LA FA                                    SOFFER
 8592   SEASONS FEDERAL SAVINGS BANK                       GREEN
 8593   PARRISH FSB                                        RIGBY
 8594   LAFAYETTE S&LA                                     RIGBY
 8595   COMMERCIAL S&LA, FA                                RIGBY
 8596   CORNERSTONE FSA                                    FORMAN
 8597   GUADALUPE SAVINGS & LOAN ASSOC                     ROGERS
 8598   CAPROCK FS&LA                                      ROGERS
 8603   WESTERN S&LA, F.S.A. OF PHOENIX                    PALAU
 8604   SIERRA FS&LA                                       SOFFER
 8606   FIRST FS&LA, BAKERSFIELD                           TIBOLLA
 8614   PEOPLES BANK FOR SAVINGS                           GREEN
 8616   CAPITOL CITY FSA                                   GONZALEZ
 8617   COMMONWEALTH FS&LA OF FLORIDA                      ZISSMAN
 8619   UVALDE S&LA                                        GONZALEZ
 8620   BLACK HAWK FS&LA                                   GREEN
 8621   CITIZENS S&LA OF SPRINGFIELD                       GREEN
 8623   UNIFIRST BANK FOR SAVINGS, A FS&LA                 ANDERSEN
 8624   METROPOLITAN FINANCIAL SAVINGS & LA                WEIGHT
 8625   SECURITY FEDERAL S&LA OF GARDEN GROVE              SOFFER
 8626   HERITAGE S&LA                                      GREEN
 8627   DENTON FS&LA                                       ROGERS
 8628   COMMUNITY FSA OF BRIDGEPORT                        SOFFER
 8629   GENERAL BANK FSB                                   ABRAMSON
 8630   FIRST S&LA OF CENTRAL INDIANA                      GREEN
 8631   RED RIVER S&LA                                     RIGBY
 8632   COLUMBIA HOMESTEAD ASSOC.                          ZISSMAN
 8633   SILVER SA                                          SOFFER
 8634   FIRST SAVINGS & LOAN ASSOCIATION                   STUART
 8635   FIRST FS&LA OF BRENHAM                             FORMAN
 8636   FIRST GARLAND FS&LA                                WEIGHT
 8637   CERTIFIED SA                                       FORMAN
 8638   KARNES COUNTY S&LA                                 ROGERS
 8639   COLUMBIA FEDERAL SAVINGS ASSOCIATION               WEIGHT
 8640   FIRST SAVINGS OF LAREDO, FA                        FORMAN
 8641   AMERICAN HOME S&LA                                 FORMAN
 8649   FIDELITY FEDERAL S&LA                              ABRAMSON
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  FIN    BANK_NAME                                 FDIC_ATTY
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  8650   SURETY SAVINGS                            FORMAN
  8651   PEOPLE'S HOMESTEAD FEDERAL BANK FOR SAVI  ZISSMAN
  8652   VALLEY FEDERAL S&LA                       ROGERS
  8653   DUVAL FS&LA                               ANDERSEN
  8654   ST. CHARLES S&LA                          BRESLAW
  8655   SOONER FS&LA                              PALAU
  8656   BROOKSIDE S&LA                            PALAU
  8657   CREST SAVINGS                             SOFFER
  8658   TEXAS WESTERN FS&LA                       PALAU
  8659   COLONIAL SAVINGS BANK                     SOFFER
  8660   ASPEN SB                                  PALAU
  8661   ATLANTIC FINANCIAL S&LA                   MCCLELLAN
  8662   FORTUNE FINANCIAL                         WEIGHT
  8663   SOUTHWESTERN S&LA                         ROGERS
  8664   AMERICAN BANK, FSB                        PALAU
  8665   HOME FEDERAL                              RIGBY
  8666   YORKRIDGE-CALVERT                         BRESLAW
  8667   FAMILY FS&LA                              TIBOLLA
  8668   FIRST SAVINGS BANK, FSB                   ABRAMSON
  8669   PROVIDENT FEDERAL                         GREEN
  8670   SALAMANKA FS&LA                           GREEN
  8671   SECURITY FEDERAL SAVINGS BANK             ZISSMAN
  8672   ATLANTIC PERMANENT S.B.                   ABRAMSON
  8673   FIRST FS&LA, YORK                         GREEN
  8674   WILSHIRE S&LA                             GREEN
  8675   CITY SAVINGS, F.S.B.                      BRESLAW
  8676   GARNETT S&LA                              RIGBY
  8677   LOUISIANA SA                              RIGBY
  8678   TRAVIS SAVINGS & LOAN ASSOCIATION         STUART
  8681   FIRST ATLANTIC S&LA                       ABRAMSON
  8682   FRONTIER FINANCIAL                        ABRAMSON
  8684   GUARANTY FSB                              TIBOLLA
  8687   FREEDOM FS&LA                             ANDERSEN
  8688   MOULTRIE FSB                              ZISSMAN
  8689   HENDERSON HOME S&LA                       ZISSMAN
  8690   MIDWEST FSB                               BRESLAW
  8692   FIRST AMERICA FSB                         BRESLAW
  8694   CAPITAL-UNION OF BATON ROUGE              ABRAMSON
  8695   OLYMPIC FS&LA                             ABRAMSON
  8697   FIRST FS&LA, BLUEFIELD                    ABRAMSON
  8698   FAIRMONT FS&LA                            MCCLELLAN
  8800   CONSTITUTION FS&LA                        PALAU
  8801   MERCURY S&LA                              PALAU
  8803   BROOKHAVEN FEDERAL S&LA                   RIGBY
  8804   EQUITABLE S&LA, FA                        SOFFER
  8806   MERABANK, A FSB                           PALAU
  8807   SECURITY SAVINGS BANK, FSB                ZISSMAN
  8809   UNITED FS&LA                              RIGBY
  8810   FIRST FS&LA, BREAUX BRIDGE                SOFFER
  8812   FIRST JACKSON SB, FSB                     SOFFER
  8814   TEXASBANK SAVINGS, FSB                    WEIGHT
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  FIN     BANK_NAME                                FDIC_ATTY
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  8815    TIME S&LA                                TIBOLLA
  8816    REMINGTON SA                             STUART
  8817    NORTH CAROLINA FS&LA                     ABRAMSON
  8818    NOWLIN SA                                FORMAN
  8820    FIRST FSB OF NEW ORLEANS                 TIBOLLA
  8821    FIRST GUARANTY BANK FOR SAVINGS          MCCLELLAN
  8822    CHARTER SB                               PALAU
  8823    INVESTMENT S&LA                          GREEN
  8824    PENINSULA S&LA                           RIGBY
  8825    GRAND PRAIRIE S&LA                       BRESLAW
  8827    MONROE SB                                GREEN
  8829    HUNTINGTON S&LA                          TIBOLLA
  8830    PACIFIC COAST S&LA OF AMERICA            PALAU
  8831    DEPOSIT TRUST SAVINGS BANK               ANDERSEN
  8833    ARKANSAS FSB                             STEWART
  8835    WINDSOR SAVINGS ASSOCIATION              STUART
  8836    ENSIGN BANK                              BRESLAW
  8839    ENTERPRISE FS&LA                         SOFFER
  8840    SENTINEL S&LA                            MCCLELLAN
  8843    INVESTORS OF FLORIDA SB                  SOFFER
  8844    FIRST AMERICA SAVINGS BANK, A FSB        GREEN
  8846    FINANCIAL S&LA OF FRESNO                 SOFFER
  8851    HAVEN FS&LA                              ANDERSEN
  8852    CLYDE FS&LA                              GREEN
  8853    THE UNITED S&LA OF TRENTON NJ            TIBOLLA
  8854    WILLIAMSBURG SAVINGS BANK                ABRAMSON
  8855    WESTERN EMPIRE                           TIBOLLA
  8856    FRANKLIN SA                              MCCLELLAN
  8857    FRONTIER FS&LA                           TIBOLLA
  8858    PIMA S&LA                                MCCLELLAN
  8859    WESTPORT SAVINGS BANK                    ABRAMSON
  8860    INVESTOR FSB                             ABRAMSON
  8861    SUN SAVINGS BANK                         RIGBY
  8862    GREAT AMERICAN FS&LA                     RIGBY
  8866    FIRST AMERICAN SB, FSB                   PALAU
  8867    FIRST NETWORK SAVINGS BANK               PALAU
  8868    COLONY SAVINGS BANK, FSB                 MCCLELLAN
  8869    FIRST SAVINGS BANK & TRUST               GREEN
  8870    CHARTER BANK A FSB                       GREEN
  8872    HERITAGE S&LA                            PALAU
  8873    TEXAS S&LA                               STUART
  8874    MUTUAL AIDE S&LA                         MCCLELLAN
  8875    THE TENNESSEE SB                         ANDERSEN
  8876    SOUTHEASTERN SAVINGS BANK                GREEN
  8877    FIRST FS&LA                              BRESLAW
  8878    GREAT WEST SAVINGS BANK, FSB             TIBOLLA
  8879    HOME OWNERS                              ABRAMSON
  8880    MISSISSIPPI SAVINGS BANK                 ABRAMSON
  8881    RANCHO BERNARDO SAVINGS BANK             ANDERSEN
  8882    UNITED SAVINGS BANK                      MCCLELLAN
  8883    HOME SB                                  RIGBY
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  FIN    BANK_NAME                                       FDIC_ATTY
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  8884   JONESBORO FS&LA                                 ABRAMSON
  8885   GREAT LIFE SA                                   MCCLELLAN
  8886   AMERICAN PIONEER SB                             GREEN
  8887   HOMETOWN FSA                                    ANDERSEN
  8888   BANK USA SA                                     SOFFER
  8889   CHARTER FS&LA                                   RIGBY
  8890   NUTLEY S&LA
  8891   SOUTHERN FB FOR SAVINGS                         ANDERSEN
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ATTACHMENT 6

A Law Firm's Guide

How to be Considered for Retention by

The FDIC and RTC

May, 1990

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Federal Deposit Insurance Corporation
Resolution Trust Corporation
Washington, D.C.

May 1, 1990

This guide is prepared for the use of law firms and attorneys who are interested in being retained as outside counsel for the Federal Deposit Insurance Corporation (FDIC) and Resolution Trust Corporation (RTC). The FDIC and RTC seek to use a wide diversity of law firms and attorneys to provide high quality legal services in a cost-effective manner. The FDIC and RTC are particularly interested in considering the use of firms which are owned by minorities or women or in which minorities or women are well represented.

This guide sets forth the policies and procedures of the FDIC and RTC in engaging the services of outside counsel. We hope that it will prove to be beneficial to all firms and attorneys who are interested in serving as our outside counsel. As necessary, we will update this guide to reflect any changes that may occur in our policies and procedures.

Thank you for your interest in helping us handle the challenge ahead.

L. Wm Seidman

L. William Seidman
Chairman

I. General Information

Use Of Outside Counsel

The FDIC Legal Division provides legal services to the FDIC, which supervises banks and thrifts, resolves failed banks and liquidates the assets of failed banks and former FSLIC receiverships. The RTC Legal Division provides legal services to the RTC, which manages and liquidates assets of savings and loan receiverships and conservatorships established after December 31, 1988. When considering outside counsel, the FDIC Legal Division and the RTC Legal Division seek to use firms which are able to provide services to both the FDIC and RTC (***hereinafter referred to as the "Corporation" as a matter of convenience*)**.**

The Corporation's Legal Divisions strive to provide the highest quality legal services possible in a timely, efficient and cost-effective manner. To the extent circumstances permit, the Corporation uses in-house attorneys, who are located in FDIC or RTC offices across the country, to provide advice and legal support directly and to handle litigation. The Corporation's in-house attorneys monitor outside counsel and actively participate in matters referred to outside counsel: they approve major strategic decisions associated with matters referred to outside counsel, review budgets, certify outside counsel bills for payment and coordinate all contacts between FDIC or RTC personnel and outside counsel. The Corporation's in-house legal staff work closely with outside counsel to ensure optimum results and to control costs. This may include, for example, providing outside counsel with prior briefs or agency research or staffing a matter jointly with in-house attorneys and outside counsel. Matters will be referred to outside counsel whenever practical and efficient. Because of its nature, the RTC will use outside counsel on a much higher percentage of legal matters than the FDIC has done in the past.

The FDIC and RTC directly engage the services of outside counsel and do not permit outside counsel to subcontract legal work to others. The Corporation's Legal Divisions evaluate the performance of outside counsel on an ongoing basis. The quality of the services provided are evaluated as well as factors such as outside counsel's cost consciousness, responsiveness to in-house personnel, management of matters referred and compliance with corporate policies and procedures. Based upon such evaluations, the Corporation will discontinue its relationships with those firms that do not perform satisfactorily.

Equal Employment Opportunity & Use Of Minority Firms

The Corporation is actively seeking employment of firms owned by minorities or women (hereinafter referred to as "minority firms" as a matter of convenience). Minority firms are defined as firms which are at least fifty-one percent (51%) owned and controlled (through day-to-day management) by one or more persons who are citizens of the United States and members of one or more of the following groups: Women, Black, Hispanic, American Indian/Alaskan Native, or Asian American/Pacific Islander. Note that the ownership percentage merely serves as a floor, and the Corporation's expectation is that such firms will be substantially owned by minorities or women and similarly staffed.

Besides directly referring work to minority firms, the FDIC and RTC will also refer cases to such firms through joint venture arrangements, whereby a minority firm provides legal services to the Corporation in association with another firm. It is anticipated that joint venture arrangements will be used in highly complex cases which require extensive staffing resources. This approach may also be used to acquaint minority firms with areas of the law which are unique to the FDIC or RTC.

The Corporation also wishes to encourage "majority" law firms (i.e., firms which are not owned or controlled by minorities or women) to direct more work specificallv to qualified minority attorneys and paralegals within their firm. Inquiries regarding the Corporation's policies regarding minority firms should be directed to Washington, as indicated at the back of this pamphlet.

Legal Services Sought

The FDIC and RTC engage law firms and attorneys primarily to provide legal services in connection with liquidation, conservatorship and receivership activities. Due to the variety of matters that may arise from any failed institution and the number of institutions for which FDIC and RTC are responsible, the FDIC and RTC will require the services of attorneys experienced in many areas of the law. In particular, the Corporation's Legal Divisions seek outside counsel with expertise in one or more of the following areas of legal practice:

- commercial litigation
- director & officer liability litigation
- foreclosures
- collections
- bankruptcy
- lender liability litigation
- appellate practice
- business law advice
- real estate transaction work
- loan participation litigation
- securities filings
- securitization programs
- debt restructure work
- environmental law
- pension/profit-sharing plans
- accountant liability litigation
- legal and other professional malpractice litigation

From time to time, the Corporation also uses the services of outside counsel who are specifically hired to render advice on complex corporate and securities issues that arise in assistance transactions. The FDIC generally does not employ outside counsel in the regulatory or enforcement areas.

Evaluation Of Potential Outside Counsel

When retaining attorneys or law firms to perform legal services for the Corporation, the Corporation's Legal Divisions use standardized procedures. These procedures provide that due consideration is to be given to the firm's previously expressed interest, minority composition and the following factors:

(1) the reputation of the attorney or law firm in the legal profession in the locality served by the attorney or law firm;

(2) the experience of the attorney or law firm in the type of legal work required to be performed;

(3) the ability of the attorney or law firm to handle the anticipated volume of work;

(4) the geographic location of the attorney or law firm;

(5) whether the fee rates to be charged by the attorney or law firm are reasonable in light of the prevailing market rates for the type of services to be provided;

(6) whether the attorney or law firm can make available an adequate number of attorneys to handle related matters of a routine or less important nature at a lower fee rate;

(7) whether the performance of legal services for or provision of legal counsel to the Corporation by the attorney or law firm would constitute a conflict of interest;

(8) whether a high degree of cooperation could be expected to exist between the representatives of the Corporation and the attorney or law firm; and

(9) any other factors deemed relevant in each circumstance.

Referral Of Matters To Retained Outside Counsel

Once a firm is retained by the Corporation, work may theoretically be assigned by any section or office of the Corporation's Legal Divisions. Thus, work could simultaneously be assigned to the firm by several regional offices, as well as by the Washington office. In practice, the firm will probably receive the bulk of its assignments from the regional office which manages legal services for the state where the law firm's office is located. A broad range of work could hypothetically be assigned to the firm, such as foreclosures, bankruptcy matters, receivership defense and professional liability work. The work actually assigned to the firm will, of course, reflect the firm's legal expertise and its size. For example, a firm that concentrates its practice on bankruptcy law will be assigned bankruptcy matters and will not be assigned directors and officers liability work.

Because the Corporation typically retains a number of firms in any given geographic location, the Corporation assigns work on a competitive basis: work is assigned to the firm which can provide the highest quality legal services in the most economical manner. Referrals of work are made based upon factors such as the expertise of the firm, its location, the ability of the firm to follow the Corporation's procedures, how economical the firm's services are for the Corporation on a comparative basis and the Corporation's desire to insure that it is getting the best services for the best prices. The Corporation will use a competitive bidding process within defined geographic areas in order to refer the following types of routine matters to outside counsel: (a) routine, nonjudicial foreclosures; and (b) collection litigation on assets valued under $10,000.

The Corporation makes no guarantee as to the volume of work that may be referred to a firm at any one time or during any given period of time. Further, the number of referrals that may be made to a firm may fluctuate over time. The amount of work available for referral is dependent upon many factors, some of which are beyond the control of the Corporation. For example, the number of assets requiring legal work that the FDIC or RTC acquires for liquidation from any given financial institution is dependent upon the type of transaction used by the FDIC or RTC to resolve that institution. Further, referrals of work may not immediately be required following the FDIC or RTC's assumption of responsibility for an institution since we first attempt to liquidate assets without resort to litigation.

It should also be noted that some referrals to outside counsel predate the failure of a financial institution. In these cases, the Corporation may permit such outside counsel, retained by the financial institution prior to failure, to complete pending litigation so long as it is economical to do so and no conflict of interest exists. Further, where the work of such outside counsel on pending litigation is performed satisfactorily, the Corporation may seek to use such firms on a continuing basis and, therefore, request them to undergo the retention process set forth herein.

The Corporation wishes to direct work to as many firms as practical and to avoid reliance on any single firm in any geographic area. As a result, the Corporation will generally seek the services of at least four to five firms in each large metropolitan area. In order to avoid undue concentration of referrals to any single firm, the Corporation will also establish ceilings on the amount of fees and expenses that may be paid to a firm during any consecutive twelve month period.

FDIC Administrative Requirements

Outside counsel must comply with the policies and procedures of the Corporation. The Corporation's Legal Divisions require submission of various reports and, in general, expect outside counsel to absorb many of the costs associated with preparing such reports. In particular, the Corporation requires the following:

Contractor Registration Request — To be retained as outside counsel, law firms and attorneys must submit an RTC form, entitled "Contractor Registration Request." This form is required by RTC rules and regulations, including 12 C.F.R. Part 1606 (which appears at 55 Federal Register 5346, February 14, 1990). It generally solicits information and certifications regarding the firm's qualifications and fitness and integrity for entering into a contract with the RTC. The Corporation will require all law firms or attorneys seeking retention to complete this form, even if the firm or attorney wishes to provide legal services only to the FDIC *per se*.

Billing — The Corporation requires that outside counsel submit detailed fee bills on a regular basis. While FDIC has required firms to bill on a quarterly basis in the past, beginning this year the Corporation will require firms to bill on a more frequent basis. By the end of 1990, all firms will be required to bill on a monthly basis.

Status reports — Outside counsel must provide case status reports, which conform with the Legal Divisions' computerized case management systems, on at least a quarterly basis. Such reports are relatively brief and must be submitted for each matter referred to the firm.

Annual reports — The Corporation requires that its outside counsel submit an annual report which summarizes the firm's activities (*e.g.*, judgments, settlements, collections realized) and updates the firm's original application to work for the Corporation. Information will also be required regarding the firm's employment of minorities and women and the amount of billing to the Corporation attributable to work performed by minorities or women who are members or associates of the firm.

Conflicts reports — The Corporation requires that its outside counsel remain free of conflicts of interest. Outside counsel must immediately notify the Corporation's Legal Divisions in writing of any actual or potential conflicts of interest as soon as they arise.

II. The Application Process

How To Apply For Retention As Outside Counsel

General Information

The Corporation's Legal Divisions observe a standardized process in engaging the services of an attorney or law firm. *Because the FDIC Legal Division and the RTC Legal Division use the same outside counsel, separate applications need not be made to the FDIC and RTC.* If you are interested in working for the Corporation as outside counsel, the following procedures apply:

(1) you should initiate the employment process by sending a letter of inquiry to the Corporation in Washington, D.C., at the address provided at the end of this pamphlet;

(2) the Corporation will acknowledge receipt of your letter in writing and will ask you to complete and return an RTC "Contractor Registration Request" form, which will be supplied to you by the Corporation. The information and certification required on this form will be used to determine the firm's fitness and integrity for entering into contracts with the RTC. The Corporation will require *all* law firms or attorneys seeking retention to complete it (even if a law firm or attorney wishes to provide legal services only to the FDIC *per se*, as opposed to the RTC).

(3) following receipt of your completed registration form, the Corporation will advise you in writing of the status of your registration. Please note that your submission of the registration form does not qualify your firm as an "approved" firm or assure it of any contractual relationship with the Corporation. Prior to any potential engagement as outside counsel, you will need to submit additional information to the Corporation (as outlined below), and the procedures set forth below will be observed.

(4) once you have been advised that your firm is registered, you should furnish the detailed information, as specified below, to the Legal Division in Washington, D.C. Please note that the Corporation's Legal Divisions will only review materials and consider retention of your firm after you have been registered with the RTC.

(5) once you have furnished all of the requested detailed information, the Washington office will send copies of your correspondence and accompanying materials to the regional office(s) which corresponds with the firm's geographic location(s) for review (see regional maps at the end of this pamphlet). Please note that each office of a multi-office firm will be separately reviewed. If appropriate, your materials will also be furnished to personnel in Washington for review, such as to the Professional Liability Section in Washington.

(6) following our review of your materials and depending upon the Corporation's need for new or additional counsel having the expertise offered by your firm or a particular office of a multi-office firm, you will be advised in writing:

- (a) that the Corporation does not foresee using the services offered by your firm at the time of your inquiry but will retain the information supplied by you and keep your firm's name on the list of registered firms; or
- (b) that the Corporation may be interested in using the services of your firm and will arrange for an interview.

(7) when the Corporation is interested in potentially using the services of your firm, an interview will be arranged with appropriate member(s) of the FDIC Legal Division and/or RTC Legal Division, located in one or more of our regional or field offices, or, if your firm offers expertise in the area of professional liability or fidelity bond matters, an appropriate member of the Professional Liability Section. Representatives of your firm will be interviewed with respect to fees and other matters, including those set forth below.

(8) following your interview and our receipt of any additional materials requested at your interview, Legal Division staff of the office which interviewed you will recommend whether your firm should be retained by the Corporation. Legal Division management personnel in Washington will consider that recommendation, decide whether to retain your firm and notify you in writing of the Corporation's decision.

(9) should the Corporation wish to retain your services, you will be requested to execute a Legal Services Agreement and to confirm that no material changes have occurred to affect the certifications contained in the RTC *Contractor Registration Request* form which you previously filed.

Required Information

Following registration, you must send detailed information to the address provided at the end of this pamphlet. If your firm has multiple office locations or "branch" offices and each office seeks to work for the Corporation, information must be separately provided regarding each office. The following types of information must be provided to Washington:

Firm profile — You should provide a narrative statement about your firm, including information regarding the areas of the law in which the firm practices. For those areas which you wish to highlight as areas of expertise, you will need to provide information about the members of your firm who have expertise in that area, their years of experience, what their experience consists of and examples of your firm's most recent experience in the area. We will also need to know about the principal focus of your firm's litigation practice, if any (*e.g.*, commercial litigation, lender liability), as well as its appellate ability. You should provide examples of your firm's most recent experience in this area. Also, you should specifically state whether your firm has had any experience in professional liability or fidelity bond matters and identify the members of the firm with expertise in these areas, their years of experience, what that experience consists of and their billable rates. We will also need a list of client references with an identification of the general type of work performed for each of these clients.

In addition to the foregoing, you should provide a matrix which identifies all attorneys of the firm who are being offered to provide services to the Corporation and which clearly sets forth their: (1) state licenses; (2) particular areas of expertise; (3) years in practice; (4) time with the firm; (5) status within the firm as partner or shareholder, associate, senior associate, etc.; (6) the individual's billable rate under the firm's usual rate structure; (7) the individual's proposed hourly rate to the Corporation; (8) the individual's lowest billable rate currently in effect with public sector and non-profit clients; and (9) whether such individual belongs to a minority group.

Rate Structure — The firm should be prepared to state the billable rate of all partners or shareholders, associates, senior associates, etc., under the firm's normal rate structure as well as the proposed hourly rate to the Corporation. The Corporation requests and expects to receive offers of legal representation that afford a substantial discounting on the firm's usual hourly rate structure.

It is the policy of the Corporation not to pay for a firm's educational or developmental costs associated with its becoming familiar with statutory and case law pertinent to the Corporation. A statement must be included, therefore, to address whether your firm will absorb the cost of developing an understanding of specialty issues, federal law and judicial precedent in which expertise is required to represent the Corporation adequately. In addition, the Corporation will not pay for any overhead expenses. Expenses that we will not pay include the following: secretarial or clerical overtime, unless such overtime is occasioned by an emergency situation created by the Corporation; charges relating to word processing or computer time, except actual charges for Westlaw or Lexis will be reimbursed; and preparation of fee bills. Also, if the firm proposes to afford the Corporation a "flat-rate" charge for residential and commercial uncontested foreclosures and a "cap" on default judgments obtained, we will need a statement regarding the amount and terms of such charges and "caps."

Travel time and expense — We will need to receive a statement as to how your firm will bill the Corporation for travel time charges. It is generally expected that a firm will discount the hourly rate charged to the Corporation by 50% while an attorney is in actual travel status. It is the Corporation's policy not to pay for first class airfares or to pay for luxury hotel accomodations. Travel related expenses are to be incurred in a prudent manner: the Corporation generally will only pay for air travel at coach rates and for moderately priced hotels.

Billing practices — You will need to indicate your firm's willingness and ability to provide to the Corporation budgets and detailed billing statements. Billing statements should identify the legal matter billed, the attorney that billed against the file, the date the services were performed, the amount of time billed, a description of the services rendered, the resulting total fees on the particular file and a subtotal of minority billing on the particular file. You should also address your firm's willingness to permit the Corporation to conduct an audit or review of the firm's billing procedures. Finally, you should discuss your firm's ability to provide at least quarterly status reports on all referred cases to identify factors such as estimation of success, cumulative fees, expected future fees and special issues.

Malpractice insurance — You must advise us of the identity of your firm's malpractice insurance carrier, the extent and duration of the firm's coverage and any limitation on the firm's coverage that may affect the Corporation.

Duration of fee schedule — The Corporation generally enters into a two-year Legal Services Agreement with its outside counsel. However, due to the number of firms anticipated to be engaged in 1990, a firm's first contract may be for a term of between one and two years in order to stagger the administrative work associated with a contract's expiration date. Subject to satisfactory evaluations of the firm's work, renewals of all contracts (regardless of the term of the first contract) will be made on a two-year basis.

The hourly rate or fee schedule will be set in the Legal Services Agreement. Absent compelling reasons, no general rate increases will be permitted during the term of the Agreement. As previously mentioned, the Corporation makes no guarantee as to the amount of work that will be referred or the annual amount of fees that will be paid to your firm.

Conflicts and Ethics — You will need to provide extensive disclosure to the Corporation regarding actual and potential conflicts of interest as defined by the Code of Professional Responsibility applicable in the state where you are licensed. Information that must be provided to the Corporation for evaluation by the Legal Division includes the following:

- Whether your firm currently represents any interest adverse to the FDIC, institutions for which FDIC has been appointed Receiver, FSLIC, institutions for which FSLIC was appointed Conservator or Receiver, RTC or institutions for which RTC has been appointed Conservator or Receiver;
- Whether your firm or any of its members or associates currently have any type of outstanding debt, whether performing or in default, with a failed financial institution (but excluding debts that were assumed by an operating financial institution);
- Whether any current member of your firm serves as an officer or director of any insured bank or savings and loan institution;
- Whether your firm actively represents any insurance or fidelity bond carriers or represents any stockholder group in an action against a director and officer carrier or group of directors;

- **Whether your firm represents any financial institutions regarding regulatory matters or assistance transactions, including prospective bidders for failing institutions;**

Firms providing legal services to the Corporation must promptly notify the FDIC Legal Division and RTC Legal Division of any actual or potential conflicting interests as they arise. As a result, you should provide information to us about your firm's system for tracking possible conflicts and your firm's policy regarding the resolution of possible conflicts.

Addresses

To inquire about providing legal services as outside counsel to the Corporation or to initiate the application process, please direct your correspondence to:

FDIC Legal Division
Attn: Outside Counsel Liaison
550 17th Street, N.W.
Washington, D.C. 20429

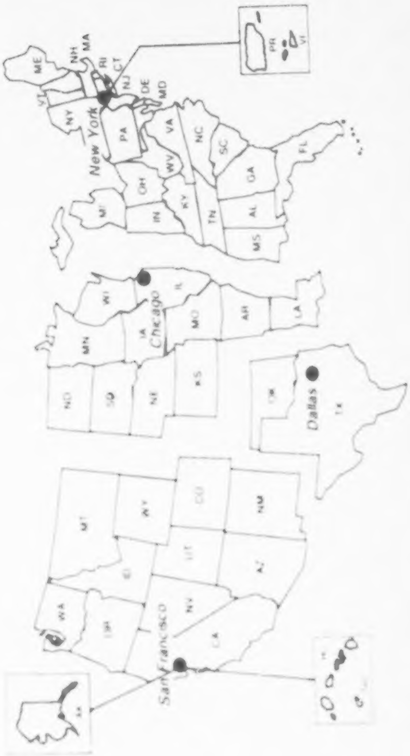
Materials which must be submitted following registration should also be sent to the above address.

Should you have questions about the Corporation's use of minority firms or joint venture arrangements, please direct your correspondence to:

FDIC Legal Division
Attn: Office of Outside Legal Services
and Minority Affairs
550 17th Street, N.W.
Washington, D.C. 20429

FDIC Regions

(Failed banks and former FSLIC receiverships)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San Francisco
AK
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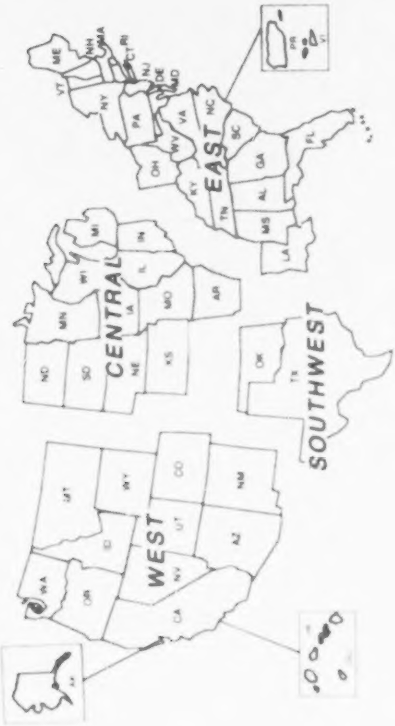
RTC Regions

(Savings & loan receiverships and conservatorships established after December 31, 1988)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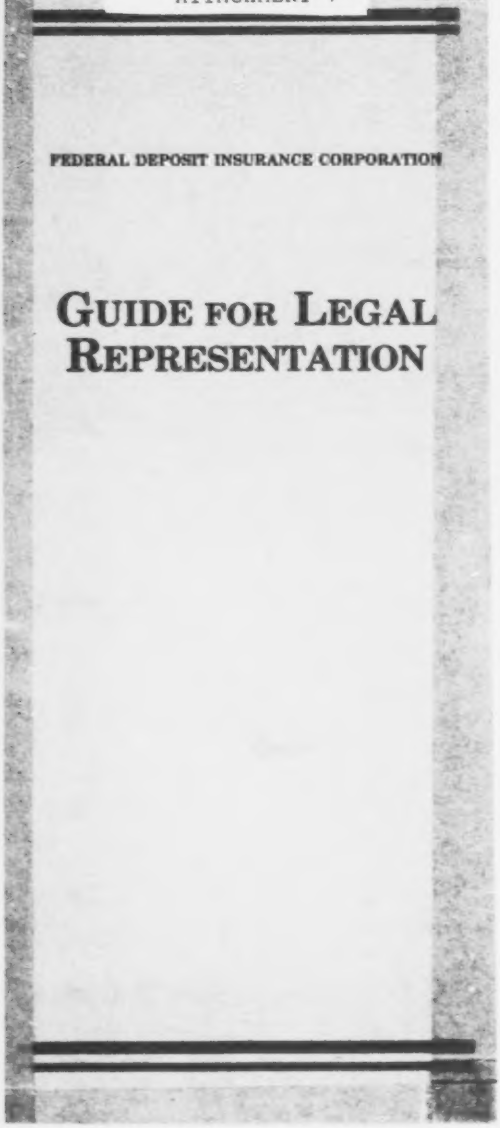
ATTACHMENT 7



FEDERAL DEPOSIT INSURANCE CORPORATION

GUIDE FOR LEGAL REPRESENTATION

The Federal Deposit Insurance Corporation is fully committed to equal employment opportunity and the implementation of a strong Affirmative Employment Program without regard to race, sex, religion, color, national origin, age or physical or mental handicap. It is the policy of the Corporation to provide equal employment opportunity for all persons in its work force and applicants and to prohibit discrimination in all aspects of its personnel policies, program practices and operations.

Because FDIC is committed to achieving affirmative employment goals, we believe that these objectives should also be shared by those firms selected to represent the Corporation. Therefore, we support those firms which have demonstrated a commitment to promoting equal employment, and encourage others to share in this endeavor as well.

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Introduction

This Guide has been prepared by the Legal Division of the Federal Deposit Insurance Corporation ("FDIC") for you as an attorney engaged to represent the FDIC in connection with its liquidation and receivership activities.

The Guide is an integral part of the terms under which you are engaged, as set forth in your Employment of Counsel Letter and Legal Services Contract.

- Section 1 of the Guide deals with the roles of inside and outside counsel for the FDIC.
- Section 2 deals with the conduct of litigation.
- Section 3 deals with reporting procedures and related matters.
- Section 4 deals with billing.

In connection with bank liquidation matters, the FDIC's Legal Division seeks to provide its client, the Division of Liquidation ("DOL"), with high quality legal representation in a timely, efficient and cost-effective manner. Due to the increase in the number of bank failures in recent years, the number of FDIC lawyers dealing with liquidation matters (often referred to as "Liquidation Attorneys") has increased significantly. Liquidation Attorneys are now located in Washington, D.C., in the FDIC's six Regional Offices and in a number of Consolidated Field Offices located at various sites around the United States.

In general terms, FDIC Liquidation Attorneys have three principal functions:

1. Providing advice and legal support to DOL in connection with its operations;
2. Handling litigation arising out of failed banks; and
3. Working with and monitoring outside counsel.

The FDIC maintains a close working relationship with its outside counsel. In the Legal Division's view, inside and outside counsel are engaged in a cooperative effort to provide our mutual client, DOL, with effective and efficient legal services.

The FDIC has undertaken a number of steps to facilitate that objective. For example, the FDIC has an automated Case Management System which is designed to monitor both the progress and the cost of pending litigation. You will be asked to provide information which will become an integral part of that system.

The Legal Division places great importance on the professional skills and conduct of all attorneys representing the FDIC. Our status as a public instrumentality handling the assets of failed and assisted banks mandates that our attorneys, whether inside or outside, demonstrate the highest standards of ethics, professionalism and competence.

Management of the FDIC's legal affairs rests with its legal staff, and the Legal Division will serve as your sole contact with the FDIC in all but certain limited circumstances described in this Guide. Any questions concerning interpretation of the Guide should be directed to the attorney with whom you are working, and suggestions as to how it can be improved are most welcome. Please circulate this Guide to each employee of your firm involved in providing services to the FDIC.

Section 1

ROLE OF INSIDE AND OUTSIDE COUNSEL

A. The Role of Inside Counsel

It is the FDIC's policy that attorneys in the Legal Division should always be responsible for managing any legal assignment or litigation, even though a matter has been referred to outside counsel. Thus, an FDIC attorney must approve all major strategic or tactical decisions associated with a matter referred to your firm. Of course, on routine cases we do not expect to be involved in every decision. Where a case involves important issues or large sums, however, major decisions should be raised with the responsible FDIC attorney in sufficient time to allow for meaningful review.

We believe it is important at the beginning of each assignment to identify clearly the objectives to be achieved and the possible alternative courses of action. As a general matter (depending in part on the scope of the assignment), we will:

1. Define the objectives to be achieved;
2. Outline the role and duties expected of you;
3. Develop, with you, a Case Plan and a Budget;
4. Monitor progress against the Case Plan and Budget;
5. Approve any significant changes in the Case Plan and the Budget;
6. Keep DOL personnel informed of developments; and
7. Coordinate all contacts between FDIC personnel and you.

The relationship between the Legal Division and your firm should be a partnership in which the resources of each are utilized in the most economical and effective manner in order to service the needs of our mutual client.

B. The Role of Outside Counsel

1. *Conflicts of Interest*

We expect the highest ethical standards in your representation of the FDIC. Your firm must be free of conflicting interests. At the time you are retained, you will be asked to provide the FDIC with a list of potentially conflicting representations. Thereafter, any potential conflict must be discussed with us as soon as you recognize its existence.

We reserve the right to decide whether an actual or potential conflict exists. If, in our opinion, an actual or potential conflict does exist, you will not be permitted to go forward with your representation until the situation has been resolved. This resolution normally takes place through the Outside Counsel Conflicts Committee in the Legal Division.

In addition to actual or potential conflicts covered by the Code of Professional Responsibility, Model Rules or applicable federal or state provisions, there are other actual or potential conflict situations peculiar to your representation of the FDIC of which we should be promptly informed. These include, but are not limited to, such matters as: Participation of any member or associate of the firm as a director or officer of any insured bank that has failed or that is the subject of any ongoing supervisory action, representation of an officer, director, debtor, creditor or stockholder of any failed or assisted bank in a matter relating to the FDIC; representation of a creditor whose claim competes with that of the FDIC; the existence of any outstanding loans from a failed bank on which any member or associate of the firm is a borrower or guarantor and representation of a client in a matter adverse to the FDIC. Upon notification, we will inform you promptly whether we believe a conflict exists.

During your representation of the FDIC, we are likely to communicate to you a large amount of confidential information. This information includes not only that which is case-specific, but also that which concerns the FDIC's internal procedures and positions on important legal issues. Such disclosures make us particularly sensitive to the potential for conflict after a firm has ceased to represent the FDIC.

2. *General Case Management*

To ensure cost-effective representation on every matter referred to you, you should:

1. Insist that the FDIC Liquidation Attorney define the objectives to be achieved;
2. Have a clear understanding of your role;
3. Actively participate in the development of a Case Plan and a Budget;
4. Discuss and obtain our concurrence in any material change in the Case Plan or the Budget;
5. Keep us advised of material developments as they occur; and
6. Use FDIC attorneys and other FDIC resources to the maximum extent possible under the circumstances.

Our overall objective is to seek the best possible resolution of legal matters at the lowest practicable cost. Consistent with that objective, you should avoid multiple respresentation at meetings or depositions, overstaffing, rotating lawyers knowledgeable about FDIC matters and using our projects for purposes of training your personnel.

If you believe that multiple representation at a meeting would benefit the FDIC or that staffing changes are necessary, these matters should be discussed in advance with the FDIC attorney with whom you are working. You should control time carefully, avoid unnecessary polishing of your work and seek cost-effective solutions.

The time and effort devoted to legal research has become a costly element of legal representation. To avoid duplication of research efforts and to obtain the benefits of our previous research, we have established a brief bank. The results of all major research projects are placed in the brief bank and are made available to attorneys representing the FDIC. A copy of all major research projects done by you on our behalf should be given to us promptly for inclusion in this data base. *No research project should be commenced until you have determined from the FDIC attorney with whom you are working whether there is any relevant information in our brief bank or in our files. Fees for unauthorized research will not be paid.*

3. *Special Issues*

There are a number of legal issues that are of special interest to the FDIC, either because they are peculiarly related to the FDIC or because of the need for a uniform, nationwide approach. These issues include such matters as interpretation of the Federal Deposit Insurance Act or other federal statutes, matters involving federal common law and the status of the FDIC in its receivership or corporate capacities. A list of these issues was included as an attachment to your Employment of Counsel Letter and will be updated periodically. You should be alert for these issues in the cases referred to you and should contact the responsible FDIC staff attorney before doing any research or drafting on the issue. Any relevant research or statements of agency policy will be provided to you and, in many cases, we may wish to handle that portion of a case directly, as part of a joint effort with your firm.

4. *Staffing*

We prefer to work with a relatively limited number of attorneys over time, in order that those in your firm who work on FDIC cases are familiar with our policies and procedures and knowledgeable about the special legal issues we deal with. We realize that it is necessary for you to increase the number of attorneys assigned to work on FDIC matters as your caseload from the FDIC grows and in order to meet our needs for legal services. You should, however, continue to place our cases under the general supervision of those attorneys experienced in handling FDIC matters. We are, however, determined to increase our efforts to assure that more FDIC work is performed by minority attorneys and paralegals in the outside firms we retain throughout the country.

Except in unusual cases and with the prior approval of the responsible FDIC attorney, "learning curve" costs associated with the changeover of attorneys in the midst of projects should be borne by the firm. In areas of the country where the FDIC has an office, legal assistants should not be assigned major projects in connection with FDIC cases without our approval. In these areas, we prefer to use our own legal assistants on discovery and other appropriate projects to minimize costs.

5. *Travel and Other Expenses*

Overnight travel should be discussed with us in advance. We believe that only in unusual cases can travel by more than one attorney on a matter be justified. Expenses for lodging, and transportation should be incurred in a prudent manner. Charges for air travel will be reimbursed at the coach rate only.

We do not pay any overhead expenses. Overhead, computer time and preparation of fee bills are not compensible items unless specifically approved under the contract between FDIC and your firm. Absent travel away from an attorney's home office, we do not reimburse for the actual costs of meals.

If business is conducted during a meal, appropriate charges may be made at normal hourly rates, but charges for food, beverages and the like will not be paid. If an attorney travels away from his or her home office and is gone overnight, we will reimburse for expenses per standard government travel regulations. This means we will pay up to the authorized per diem for a particular city. The standard per diem is $26.00. Some high cost cities have up to a $34.00 per diem. Hotel accommodations should be moderately priced and expenses for luxury hotels or special services will not be reimbursable. The office retaining your firm can provide you with a list of hotels we use as well as per diem rates for the cities to which you are required to travel. We will reimburse you for necessary photocopying and other unusual expenses at your cost. We will not typically reimburse for general overhead expenses.

6. *Employment of Other Counsel*

Other counsel may not be retained on our behalf without our prior approval.

Section 2

CONDUCT OF LITIGATION

A. Litigation Philosophy

The FDIC's philosophy with respect to litigation is to pursue an approach that is aggressive and forthright, but consistent with our overall objective of resolving litigation in the most expeditious and cost-effective manner.

In handling litigation, the FDIC seeks to avoid extreme advocacy positions that are not likely to have a substantive impact on its litigation. Coercive, delaying or obstructive tactics should be avoided. The FDIC discourages engaging in motion practice unless there is some clear, strategic advantage to be gained. Generally speaking, demurrers, motions to quash or motions to make more specific should be avoided. Where appropriate, however, motions for judgment on the pleadings or for summary judgment pursuant to applicable rules should be employed to resolve or refine as many issues in dispute as possible.

Lengthy interrogatories or requests for extensive document production solely for the purpose of burdening another party should be avoided. It has been the FDIC's experience that costly delays frequently result from abuses of the discovery process. Outside counsel should consider available remedies when another party appears to be abusing the discovery process.

B. Settlement Philosophy

1. *General Approach*

The settlement possibilities of each matter should be identified and considered early in the proceedings and at each stage thereafter. Where possible, cases should be settled at a very early stage in order to be cost-effective. Outside counsel should promptly report any and all settlement overtures received to the responsible FDIC attorney to permit his or her involvement in planning and negotiations, as described more fully below.

The FDIC generally will consider compromise settlements on two grounds: (1) the likelihood of success on the merits; and (2) an assessment of the likely net economic recovery, given the ability of the other party or parties to respond to a judgment. As described in Section 3, outside counsel are asked to evaluate the likelihood of success and related matters with the responsible FDIC attorney on an ongoing basis, so that DOL will have current information on which to base its business judgments.

After discussion with the responsible FDIC attorney, it may be appropriate to contact opposing counsel immediately upon receipt of a referral from the FDIC to explore settlement possibilities. Even if such initial contacts do not resolve the dispute immediately, they can be helpful in evaluating both the liability and ultimate settlement potential for the case.

2. *Alternative Dispute Resolution*

The FDIC has used alternative dispute resolution ("ADR") successfully in the past and views the process as a potentially cost-effective means of facilitating negotiated settlements. Outside counsel should be alert to opportunities for utilizing non-judicial dispute resolution approaches.

ADR can take many forms, some of which would involve use of a neutral party. Generally speaking, the FDIC does not favor the use of arbitration or other forms of binding ADR. However, certain non-binding approaches, such as mediation or mini-trails, may result in a faster, less expensive resolution of disputes than the traditional litigation approach. In circumstances where settlement negotiations are at an impasse, particularly in cases where technical matters are at the heart of the dispute, ADR should be considered.

C. Appeals

Outside counsel must notify the responsible FDIC attorney promptly of any adverse ruling in order that a decision may be made regarding possible appeals. No appeal may be taken by outside counsel without the prior approval of the FDIC, but counsel should protect the FDIC's appeal rights pending a decision to appeal.

D. Contacts With The Media

It is the FDIC's experience that media relations, particularly with respect to matters in litigation, must be handled with great care. Extra-judicial statements regarding litigation matters are almost always inappropriate and often counterproductive.

As a general rule, outside counsel representing the FDIC should not be in contact with representatives of the media concerning FDIC-related matters. In the event that media representatives contact you concerning cases which you are handling on behalf of the FDIC, you should decline to make any comment beyond confirming factual matters that are already a matter of public record. Do not attempt to address media inquiries regarding more general matters (such as the FDIC's policies, procedures or possible courses of action (e.g., appeals or settlements). Please refer such calls to the FDIC's Office of Corporate Communications in Washington at (202) 898-6993 for response and promptly advise the responsible FDIC attorney of the contact.

E. Dealings With Other Government Agencies

The smooth functioning of the FDIC's operations and its relationship with other federal and state regulatory and law enforcement agencies require that scheduling of FDIC and other agency employees for depositions and responses to requests for documents generated by other agencies be authorized by and coordinated through the Legal Division. When you receive notices of depositions of employees of the FDIC or other agencies or when you receive subpoenas or requests for production of documents that were generated by other agencies, you should immediately contact the responsible FDIC attorney to obtain the requisite authorization and coordination in responding. Similarly, if in preparing a case you wish to contact employees of the FDIC or other agencies or to obtain documents generated by another agency, you should contact the responsible FDIC attorney.

F. Referral of Criminal Misconduct

The FDIC does not have authority or responsibility for instituting, conducting or disposing of criminal proceedings. The FDIC's policy is that the settlement of civil litigation may not, expressly or by implication, extend to the disposition of any criminal charges or recommendations with respect to such charges. In conducting civil litigation, including settlement negotiations, you may not agree either not to disclose or not to refer to law enforcement authorities any information relating to a possible criminal violation or investigation.

The FDIC has a longstanding responsibility and policy of promptly notifying and, where appropriate, assisting law enforcement officials in investigating conduct which may constitute a violation of criminal statutes.

From time to time, the FDIC's outside counsel may obtain information pursuant to civil litigation which may indicate possible criminal behavior. If this is ever the case, outside counsel must *immediately* notify the FDIC attorney who is monitoring the case or any other member of the FDIC Legal Division. Outside counsel should not deal directly with the criminal authorities. Procedures have been established for the referral by FDIC In-House Counsel of possible criminal misconduct. These procedures take into consideration FDIC's position which makes it subject to the Right of Financial Privacy Act, other Federal laws and procedures.

Section 3

REPORTING PROCEDURES

The FDIC's case management procedures require that your firm keep the responsible FDIC attorney who is assigned to the matter fully informed as to the status of the matter. You will be required to report to the responsible FDIC attorney at three distinct stages; initially, when the matter is referred to you, irregularly, whenever an event or development occurs which could significantly impact the planned course or timing of the matter and each time you submit your periodic fee bill.

These procedures are designed to ensure that the matter will be handled in a cost-effective manner and that the approach remains consistent with the objectives to be achieved. They also provide FDIC with information and estimates on which to make business decisions about specific assets. Properly utilized, these procedures should further the FDIC's policy of maximizing recoveries and reducing expenses.

A. Initial Reports

1. *Case Plan*

The Case Plan should set forth the major steps to be taken in pursuing collections of an asset or defending a case. It should outline (1) the proposed course of the litigation on the assumption that it will go to trial and (2) a plan for a settlement (unless settlement is clearly inappropriate).

The scope and detail of the Case Plan should be commensurate with the significance of the matter. For major litigation, the Case Plan will be quite detailed. For more routine cases, the Plan will be brief. If you are handling a number of

cases that are not complex and involve similar issues or approaches, you may wish to submit a standard Case Plan applicable to all such cases. Once such a plan has been agreed to by the responsible FDIC attorney, you can thereafter indicate that substantially similar cases will generally follow that plan, noting, when appropriate, factors or plans which are different.

The Case Plan should summarize strategy for preparing for and taking the case to trial, including all expected litigation events. For example, it should describe:

a. Initial research;
b. Drafting and filing of a complaint;
c. Pretrial disposition motions;
d. Discovery;
e. Any need for expert witnesses; and
f. Trial.

Where these activities will be extensive, and thus expensive, they should be broken down into subparts. For example, more details should be provided about the discovery to be taken, issues requiring extensive research, or anticipated defenses which will complicate the litigation.

The Case Plan should also summarize strategy for preparing for and achieving a negotiated settlement of the case, with a particular emphasis on opportunities for early resolution. It should:

g. Identify factors which increase or decrease the likelihood of a negotiated settlement;
h. Indicate any informal or formal fact development and discovery which may be necessary preconditions to negotiations;
i. Outline proposed contacts with or likely contacts from opposing counsel regarding resettlement; and
j. Where appropriate, indicate and justify counsel's view that settlement will best be achieved by pursuing traditional litigation, at least for a time (e.g., taking discovery; making a potentially dispositive motion).

2. *Estimates and Base Information*

Upon referral, you should submit (normally with the Case Plan) an estimate of the following:

- a. Legal fees and expenses to judgment or other completion;
- b. The date judgment or completion, is expected; and
- c. Probability of success, stated as a percentage.

These estimates and other information, including the name of your contact attorney for the matter, will be specifically requested in the letter which refers the matter to you.

These estimates (which are updated, as discussed below) are used on an ongoing basis by DOL and the Legal Division to determine whether an individual matter is cost-effective and as a benchmark to measure progress. We recognize that these estimates may be affected as you obtain additional information. Because the estimates are utilized in making business judgments, however, they should be as accurate as possible and any change in the estimate should be reported promptly. Occasionally, we have had cases in which an estimate of probability of success was lowered substantially shortly before trial, but long after discovery had been completed. This type of change indicates that the original estimate was unduly optimistic and makes informed business judgments difficult.

3. *Budget*

If the initial estimate of legal expenses is substantial, you will be asked to prepare a budget together with the FDIC Liquidation Attorney and the DOL account officer. The budget is not an end in itself, but the translation of the Case Plan into financial terms. The form of the budget will depend upon the size of the matter and the issues involved. At a minimum, the budget must (a) set forth major assumptions, (b) conform to the Case Plan, (c) identify specific phases of a case and (d) estimate the cost of each phase.

4. *Commencement of Action*

Upon filing the Complaint or Answer in a referred case or receiving a pending case from another firm, you should report to the responsible FDIC attorney the court Docket Number, the State in which it is filed, the forum and venue.

B. Periodic Reports

1. *Status Reports*

At the time you submit your periodic fee bill you should also report to the responsible FDIC attorney your current estimates for:

- a. Legal fees and expenses to judgment or other completion;
- b. The date judgment or completion, is expected; and
- c. Probability of success, stated as a percentage.

This Fee Bill Status Report should also include your current comments regarding the status of the matter, emphasizing developments since the last report.

This Report should be prepared for each matter you are handling for the FDIC for which you are billing time or expenses during the billing period. Please note that your current estimates for fees and expenses should be reported from the inception (or referral to you) of the matter to judgment or conclusion. Properly completed Fee Bill Status Reports must accompany each fee bill in order for the FDIC to process the bill for payment. The status reports should be brief but meaningful. They are considered a necessary part of the bill.

The responsible FDIC attorney may also specifically request of you Status Reports on matters not reported as having been concluded and for which no bill has been received for two or more consecutive billing periods.

C. Interim Reporting

1. *Copies*

Copies of all correspondence, pleadings and other filings in a case should be sent to the responsible FDIC attorney (or attorneys). These materials should not be sent to any other person at the FDIC unless you have been requested to do so or there is a specific request for action by that person. For example, a letter enclosing a Request to Produce might state: "By copy of this letter to [Account Officer], I am requesting that [he or she] gather the documents described."

2. *Pre-Filing Review of Pleadings*

At the beginning of your relationship with FDIC, you should submit drafts of all pleadings and filings of a substantive nature (e.g., complaints, answers, briefs, etc.) to the responsible FDIC attorney far enough in advance of any filing deadlines to allow for a meaningful review. Even complaints dealing with simple collections must be reviewed at first to ensure uniform treatment of the FDIC's different capacities.[*]

After a period of time, the responsible FDIC attorney may agree with you that a pre-filing review is no longer necessary for some routine items. Unless the responsible FDIC attorney advises otherwise, however, the requirement will remain for all substantive pleadings and filings. It is particularly important that you comply with the requirement when dealing with any of the Special Issues designated in the Special Issues List that is updated periodically.

3. *Settlement Offers*

You should report all settlement offers or bankruptcy plans immediately to the responsible FDIC attorney, who will review them with DOL and obtain any necessary approvals. Please observe the following procedures regarding the settlement of litigation:

a. All settlement offers must be made in writing by the opposing party or its counsel. If you receive an oral offer, please do not forward it to the FDIC without first requesting a written offer with proper supporting information (see below). Communicate an oral offer only if the opposing party refuses to supply a written one. The responsible FDIC attorney should be informed of any deadlines imposed, whether by a court or the other party.

b. In most cases, the FDIC will not consider an offer for less than full payment without a verified financial statement on the FDIC's form (supplied as an attachment to your Employment of Counsel Letter). All available budget information of the debtor should be supplied in connection with the submission of a bankruptcy plan.

c. You should attach to the settlement offer a description of any material changes since your last Fee Bill Status Report that relate to acceptance of the offer (e.g., a change in your estimate of success or timing). If there are no such changes, please so state. You should not prepare a detailed analysis of the offer unless specifically requested to do so.

d. The FDIC's system of corporate controls requires approval of settlements at one or more levels, ranging from the Bank Liquidation Specialist-In-Charge of a liquidation to the FDIC's Board of Directors. Thus, the time needed to obtain authority to accept an offer may vary from a few days to weeks. Accordingly, you should make certain the opposing party is aware of the possibility of delay and should recognize that you will rarely, if ever, have any pre-existing authority from the FDIC to accept a settlement offer. The FDIC considers this approval process to be substantive in nature and not a mere formality. Therefore, you should make the opposing party aware that, while your

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[*] For example, the FDIC may seek to collect on an asset in any one of the following capacities: (1) receiver of a state bank, (2) receiver of a national bank, and (3) in its corporate capacity, as purchaser from either (1) or (2) above or from an open, operating bank pursuant to an assistance transaction. Sample complaint forms for each of the foregoing are included with the Employment of Counsel letter.

recommendation will be given weight in the decision-making process, it does not guarantee approval.

4. *Closing Memoranda*

When you cease working on a case or project for any reason, you should notify us in writing so that we can reflect that change on our records.

D. Contact With The Division of Liquidation

It is the FDIC's policy that, with certain exceptions discussed below, *all* contact by outside counsel with the FDIC should be made through the Legal Division. This policy permits the most efficient utilization of resources within the FDIC and serves to avoid duplication of effort and costs. Therefore, please direct all communications to the responsible FDIC attorney, except in the following circumstances:

1. Where an FDIC attorney indicates otherwise;
2. Where immediate action is required, and the responsible FDIC attorney(s) or the attorneys supervisor cannot be reached; or
3. Where you seek limited factual information that can be obtained in a relatively brief amount of time. (This category would include such items as the payoff figure for a loan or the address of a debtor.)

Under special circumstances or in certain types of litigation, the responsible FDIC attorney may make arrangements with you for more extensive direct contact with DOL employees. This might occur, for example, in a case involving an in-depth investigation of a bank's records or similar matters. *Charges for contacts other than as set out above will not be paid.*

Section 4
BILLING

As a general matter, fee bills (an original and one copy) should be submitted on a quarterly basis, together with a Fee Bill Status Report for each case you are handling. A separate bill should be submitted for each bank liquidation involved, and should be sent to the office responsible for the bank liquidation to the attention of the person specified by that office. You should not include with your bill correspondence which is unrelated to the billing. If you are dealing with cases that involve Directors' and Officers' Liability, Accountants' Liability or Bond Claims, please direct separate bills regarding such cases to the Washington, D.C. attorney involved; *no copies of such bills need be submitted to any other office unless specifically requested in writing.* You may choose any date you wish on which to submit fee bills, so long as the billing period is a three month cycle.

Fee bills should be submitted to the office and addressee identified in your Employment of Counsel Letter. Bills should be organized on a file-by-file basis and should contain the following information:

1. The name of the case or file with regard to which the service was performed should be prominently displayed, together with the following identifiers when applicable:
    a. FDIC asset number;
    b. Bank Name and identifying number;
    c. FDIC - Defendant;
    d. Directors' and Officers Liability Matter;
    e. Accountants Liability Matter;
    f. Bond Claim Matter;
    g. Bankruptcy Matter;
    h. Rico Matter.
2. The date of each service performed;
3. The name of the attorney or other person performing the service (each item should refer to no more than one such person);
4. A brief description of the service performed;

5. The amount of time consumed in performing the service;
6. The hourly rate of the person performing the service (unless the firm has contracted to work on other than an hourly basis);
7. Total fees and expenses billed to each case; and
8. Total hours billed on each file.
9. Grand total fees, expenses and hours on all files.

Please do not include past due invoice amounts in your bills, as such practices could cause duplicate payments to your firm. Inquiries of past due billings may be made of the Fee Bill Technician who may be reached at the FDIC office to which you directed your invoice.

We prefer that you pay litigation related expenses directly and obtain reimbursement as part of your quarterly billings. However, should it be necessary to submit individual expense items or provide for direct billing by third parties, please be sure that we are informed in advance about all relevant facts surrounding the item (e.g., bank name, bank number, case name, etc.) so that we may process it as promptly as possible.

The FDIC reviews each fee bill to determine not only the reasonableness of the charges, but also the cost-effectiveness of the litigation itself. In this regard, we may from time to time ask for additional supporting information regarding your services.

Please provide your accounting department with a copy of this section of the guide.

By following these guidelines, the FDIC will be better able to make payment of your bill in a reasonable period of time.

FEDERAL DEPOSIT INSURANCE CORPORATION, Washington, DC 20429

OFFICE OF THE CHAIRMAN

December 18, 1990

Dear Senator Dixon:

We are pleased to provide the enclosed answers to the written questions you posed following my August 2, 1990 testimony before the Senate Banking Committee on bank and thrift fraud. We have also submitted a copy of these answers to Chairman Riegle so they can be included as part of the hearing record.

If you need any additional information, please let me know.

With best wishes.

Sincerely,

L Wm Seidman

L. William Seidman
Chairman

Honorable Alan J. Dixon
United States Senate
Washington, D.C. 20510

Enclosures

QUESTIONS FROM SENATOR DIXON RESULTING FROM CHAIRMAN SEIDMAN'S AUGUST 2, 1990 TESTIMONY ON BANK AND THRIFT FRAUD

Q.1 Do State bankruptcy laws provide too much protection for defendant assets?

A.1 Some state laws providing exemptions for bankrupts do allow defendants to shelter what we believe are excessive assets. For example, certain state exemption provisions of the Federal Bankruptcy law (Title 11) allow defendant debtors successfully to shield their assets from the reach of creditors. To some extent -- yet to be tested and tracked -- the recent amendments to Title 11 contained in the Crime Control Act of 1990 should assist the FDIC and RTC in overcoming these protections in certain cases.

We have also encountered some problems recently in the area of administrative enforcement actions. Until the decision earlier this year in Pennsylvania Department of Public Welfare, et al. v. Edward J. Davenport (No. 89-156, May 29, 1990, 58 LW 4610), the FDIC felt quite confident that some of its most valuable tools -- the power to assess civil money penalties and order restitution in administrative actions -- could not be avoided by a respondent availing him or herself of relief in a bankruptcy court. Unfortunately, the Davenport decision held that a debtor in a Chapter 13 bankruptcy proceeding could avoid an administrative agency's order of restitution on the basis that the order did not qualify as a penalty, but rather should be treated as a debt. Although the recently enacted Crime Control Act of 1990 attempted to fix this problem, the language provided in the law does not go far enough because it speaks in terms of orders filed in Federal court. Enforcement orders of the FDIC are largely administrative in nature; filing such orders in federal court is not a required step in the process. The Crime Control Act of 1990 also did not address enforcement actions which are pending but not fully tried at the time an individual decides to avail him or herself of protection in the bankruptcy courts.

Additional legislation protecting pending and final administrative enforcement actions from discharge in bankruptcy would be helpful to the FDIC and the RTC.

Q.2 How much are the FDIC, RTC, and OTS each spending on fee counsel? How many attorneys and support staff does this spending represent?

A.2 The FDIC does not have information on how much the OTS spends on outside fee counsel. The following chart indicates the cumulative amounts the FDIC and the RTC (which has only been in existence since August 9, 1989) have spent on outside fee counsel since 1987:

1987	-	$ 54,269,752
1988	-	$ 76,603,520
1989	-	$ 92,919,399
1990	-	$245,059,966*

* Includes amounts spent by RTC conservatorships

The FDIC and the RTC separately have spent the following amounts on outside fee counsel:

	FDIC	RTC
1987	54,269,752	-0-
1988	76,603,520	-0-
1989	92,325,815	593,584
1990	163,934,531	81,125,435*

* Includes amounts spent by RTC conservatorships

This spending represents approximately 14,701 attorneys and 2,100 law clerks or paralegals. We do not have information on the number of law firm secretaries or other support staff our spending represents since law firms do not bill separately for support staff services.

Q.3 **How much are the FDIC, RTC, and OTS each spending on in-house counsel engaged in thrift prosecution work? How many attorneys and support staff in each agency are working currently on thrift prosecution efforts?**

A.3 It is our understanding that the OTS has at least one full-time attorney position dedicated to thrift prosecution work for the Central District of California. OTS also has numerous examiners on loan to the Department of Justice to assist in investigations throughout the country. OTS also has a $2 million fund with DOJ to help defray examiner cost.

The Conflicts and Criminal Restitution Section of the FDIC has a Senior Counsel and four counsels and staff working to coordinate FDIC and RTC criminal efforts. They help develop policies and procedures for field personnel to guide them in making criminal referrals, assisting prosecutors, obtaining and collecting restitution orders, tracing assets, and obtaining forfeiture.

One of the counsels in the FDIC's Conflicts and Criminal Restitution Section and one counsel in the OTS' Enforcement Section are Special Assistant U.S. Attorneys for DOJ in Washington, D.C. They have worked with Special Counsel Jim Richmond in reviewing the "Top 100" and other bank priority referral cases and providing other assistance to that office. These are part-time assignments -- averaging 1-2 days a week.

Some FDIC and RTC regions have designated criminal coordinators in their legal and investigative offices. They handle the field coordination efforts with prosecutors and FBI agents that will lead to successful prosecutions and recoveries of assets. We are urging all regions to adopt this model in the year ahead.

One FDIC investigator/attorney in the Dallas region is assigned 2 days a week to a Dallas DOJ Task force on bank and thrift fraud.

Q.4 **Is the Federal government recovering more through its civil bank/thrift fraud enforcement efforts than it is spending?**

A.4 The FDIC's Professional Liability Section pursues bank, old FSLIC, and RTC claims against those institutions' former officers and directors, attorneys, accountants, commodity and securities brokers, appraisers, and fidelity bond carriers. The Professional Liability Section and its FDIC predecessors have historically recovered from $2 to $3 for every dollar spent on investigating and prosecuting these claims.

From the perspective of the FDIC's (and RTC's) administrative enforcement action function, responding to this question is somewhat difficult since it seems to presume that all of our administrative enforcement efforts reap some actual dollar recovery. As a practical matter, the only administrative enforcement measures that result in a dollar return to the FDIC and/or the Federal government are civil money penalty assessments and restitution orders.

In keeping with the concept of restitution, the FDIC may only order that restitution money be returned to the bank from which it was removed. Therefore, there is no direct recovery to the Federal government when an institution is still open. Where a bank has already failed, restitution money is ordered paid into the receivership and goes to offset any expenses incurred by the receiver or claims against the receivership. Indirectly, then, the FDIC/RTC benefit from restitution in such cases as creditors of the receivership estate.

In the case of civil money penalties, the FDIC is required to pay any monies recovered to the U.S. Treasury, and by operation of law the FDIC is not allowed to recover its expenses in assessing such penalties. With that in mind, it is accurate to say that the FDIC recovers more than it spends when assessing civil money penalties.

It should be recognized by Congress that the greatest portion of administrative enforcement work done by the FDIC does not result in any measurable dollar flow back to the FDIC; however, the benefit flows to the Bank Insurance Fund in the form of protection against waste and fraud. In addition to civil money penalties, the enforcement powers of the FDIC include such actions as: termination of deposit insurance; cease and desist actions; and removal actions. Clearly, these kinds of enforcement actions do not bring measurable amounts of money into the FDIC, but they do indirectly reduce the risk of drainage from the insurance fund. The most accurate analogy of the FDIC's administrative enforcement efforts is to describe the work of FDIC examiners as "policing" the banking industry, and the work of the Compliance and Enforcement section as being the "District Attorney's office" charged with prosecuting wrongdoing discovered by the examiners.

The benefits of enforcement actions are largely intangible yet they do exist. Although enforcement actions primarily serve to protect the Bank Insurance Fund, the deterrence factor is not to be overlooked. By successfully bringing an enforcement action to force corrective action to be taken or to stop unacceptable practices, a message is sent to the banking public that unsafe or unsound banking practices, and violations of laws, rules, regulations, or final orders will not be tolerated, and fraud and abuse will be punished.

Q.5 **How much have the FDIC, RTC, and OTS actually received in pocket from suing s&l malefactors?**

A.5 The FDIC's Professional Liability Section -- which has responsibility for both FDIC and RTC civil actions --

recovered $100 million during 1989. Of that total, approximately $40 million came from claims involving thrifts. (FSLIC recovered an additional $50 million prior to August 9, 1989.) During 1990, the FDIC's Professional Liability Section has collected judgments or entered into settlements that will yield over $325 million. Of that total, approximately $200 million came from claims involving thrifts. The bulk, but not all, of this money has been collected.

Q.6 **What is the FDIC's policy on retaining private investigators?**

A.6 The FDIC and the RTC maintain their own corps of investigators who are trained to analyze a financial institution's records for professional liability claims and criminal behavior. FDIC and RTC investigators also perform limited asset searches on potential defendants. Therefore, the FDIC's need for private investigators generally is limited to specific instances, mostly for specialized asset searches. The FDIC's policy on retaining private investigators is that each local office may hire investigators on an as needed basis.

Because of the massive amount of work that must be done, the RTC, particularly, has begun to contract with investigative firms to assemble the facts needed in order to determine whether there is a good case on the merits. We expect this practice to grow. Additionally, FSLIC regularly used law firms to conduct their investigations. Certain of these investigations have remained with the law firms.

Q.7 **Is there any way to avoid multiple investigations by the Federal government of the same frauds? Specifically, suppose an FBI agent investigating a particular case discovers that a potential defendant has assets that could be recovered in court. Would that information be communicated to an FDIC attorney investigating the same case? How?**

A.7 Coordination by the various Federal agencies is the best way to avoid multiple investigations of the same fraud. In some instances, separate investigations are necessary because they are designed for different purposes, i.e. civil litigation, criminal investigations or regulatory administrative enforcement actions. This should not preclude, however, information sharing to avoid duplicative investigations.

Historically, information from criminal investigations has not been shared with other Federal agencies because of restrictions found in the Federal Rules of Criminal Procedure and the predilection of criminal authorities to withhold information for strategic investigative purposes. Conversely, the law allows information to be freely communicated to criminal authorities subject to proper procedures. FDIC investigators often render advice and expertise to ongoing criminal investigations. FDIC's investigations would be greatly aided to the extent information could be more easily shared by criminal authorities.

Generally, an FBI agent discovering information on recoverable assets would not share that type of information with FDIC investigators because of restrictions in the law. It is too early to assess the effect of a recent amendment to F.R.C.P 6(e) which eases those restrictions somewhat. However, that mechanism for information sharing is still cumbersome and up to the discretion of the court and the Attorney General.

Particularly since the passage of FIRREA, the problem of multiple, overlapping investigations and cases has become a matter of significant concern. It is altogether possible for a single act or pattern of conduct to yield: 1) a civil damage suit by the FDIC's Professional Liability Section; 2) an administrative proceeding by the appropriate federal regulator seeking civil money penalties and/or restitution; 3) civil prosecution by the Department of Justice for civil money penalties under section 951 of FIRREA ; and, 4) criminal prosecution by the Department of Justice, including seeking a restitution order. Additional complications are possible if forfeiture and prejudgment attachment provisions can be invoked.

All of the agencies are aware of the problem, and efforts are being made to control it. For example, a proposed agreement has been circulated which would set out which matters the FDIC's Professional Liability Section would refer to the attention of the Justice Department's Civil Division for possible section 951 proceedings. Such a referral would lead to inter-agency discussions of potential conflicts between section 951 actions and other actions.

The FDIC and the RTC engage in substantial amounts of information sharing with the other regulators, particularly the OTS and the Department of Justice. For example, both inside and outside counsel for the FDIC have provided a substantial amount of information used in the prosecution of Vernon Savings and Loan Association.

A concern remains about whether communicating privileged information will waive that privilege if we then litigate against third parties. There are also limits, in fact, on sharing grand jury materials with the FDIC.

In sum, there will necessarily be some duplication of effort -- especially when there are both civil and criminal claims against an individual -- but effective efforts are being made to share information.

Q.8 **In general, is there any way to make sure that civil and criminal authorities do not waste a lot of effort competing for the same pool of recoverable assets?**

A.8 This is already being done within the FDIC with respect to civil and administrative actions. Every effort is made to coordinate enforcement actions that may involve monetary assessments with the section of the FDIC that deals with professional liability claims brought once an institution is closed. Cases with potential for professional liability claims are closely monitored for possibilities of conflict once an institution closes. It has been the experience of the FDIC that it is not effective to compete for limited dollars; therefore, every effort is made to coordinate our actions and maximize recovery to the deposit insurance funds.

Bringing both civil and criminal cases against the same individual is likely to result in that individual spending a substantial amount on defense costs, thus reducing the assets available to settle the civil case (or pay criminal restitutions.) Such tension between civil and criminal matters is probably inevitable since we do not think it would be good policy to walk away from otherwise appropriate criminal proceedings simply because prosecution might reduce recoveries in a civil case. That said, we do consider the likelihood of obtaining a criminal restitution order when deciding whether to file civil cases against people who are the subject of criminal referrals. The reality, however, is that because the civil statute of limitations on torts is three years, while criminal statutes of limitations are longer, we often do not know whether there will be an indictment (much less a restitution order) before we have to decide whether to file suit.

The FDIC's Professional Liability Section is more concerned about possible wastes of effort, and of the defendants' assets, resulting from civil money penalty actions under section 951 of FIRREA or administrative proceedings for civil money penalties or restitution, that parallel our civil cases. To date, this has not been a substantial problem. Congress should be aware, however, that if the Justice Department's Civil Division and the bank regulatory agencies feel pressed to bring such actions -- over and above FDIC damage actions -- the net recovery for the deposit insurance funds (and Treasury) is likely to decline in many instances.

The FDIC has been working with the Justice Department to ensure that efforts are not wasted in the civil and criminal authorities' competition for the same pool of recoverable assets. Since the primary force behind criminal prosecution is the threat of incarceration, it would be wasteful to have criminal authorities seeking a monetary recovery in direct competition with the bank insurance funds, whose primary mission is to recover money, not incarcerate criminals. Often criminals have stolen funds from those institutions which have failed. Everyone seems to agree that it is logical that those monies which were stolen should go back to the victim or the insurer, while the criminal authorities should concentrate on that which they do best, i.e. obtaining convictions for criminal behavior. Dividing efforts along those lines is clear, direct and makes good sense. The FDIC will continue to work with Justice to ensure this policy continues to be implemented.

Q.9 **Are we doing everything we can to make sure that potentially recoverable assets are identified before deciding not to sue or prosecute? Specifically, how do the FDIC, RTC, and OTS trace assets?**

A.9 As a matter of routine, the issue of recoverable assets is assessed prior to making a decision not to sue. Unfortunately, the task of uncovering assets can be a time consuming and expensive undertaking. Judgment must be exercised in deciding how much time is enough to look or how much money is enough to spend, since no result is guaranteed.

The FDIC engages in all standard asset search techniques and, in some cases, will hire a private asset tracing firm for more complex searches.

In trying to determine whether possible defendants have sufficient assets to make a case cost effective, we begin by looking within the failed institution for financial statements of potential defendants. Additionally, we often conduct (either directly or through private firms) searches of public records, e.g., land records. We also ask, at times, for financial information. The low average quality of information obtainable from such sources is a problem.

Under existing law, however, information concerning defendants' net worth generally is not discoverable until after a judgment is obtained. Further, various laws designed to assure privacy appear to restrict the information that we can gather. Access to IRS records and a clear right (preferably during the investigative stage) to obtain financial information from possible defendants, banks, and others, would materially aid us. Even that, however, would not completely eliminate the problems that will inevitably occur when people try to hide assets.

Q.10 **What, if anything, can be done to locate assets that may have been moved offshore?**

A.10 Our limited experience in attempting to trace assets moved offshore has not been encouraging. While procedures theoretically exist, our impression (based largely on comments from people at other agencies) is that offshore tracing is usually very slow and unlikely to yield results unless you already know exactly where the money is.

To improve the process, more emphasis could be placed on creating a protocol with countries that are havens for offshore assets in order to allow for access to overseas information. This is the single most important step that can be taken. Procedural safeguards restricting access to cases of allegations of fraud or execution on judgments obtained by the FDIC could be included in treaties negotiated with other countries to limit the difficulty in obtaining the host country's consent.

Good relationships are important to finding information and obtaining the assistance we need to repatriate assets that we seek under civil and criminal actions. The Financial Crimes Enforcement Network (FINCEN) is developing overseas contacts, and foreign law enforcement agencies have expressed an interest in using the system. FINCEN will contain a growing number of private and public databases that will prove useful in developing asset investigations and encouraging information sharing across international boundaries.

U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 8, 1991

The Honorable Donald W. Riegle, Jr.
Chairman
Committee on Banking, Housing
and Urban Affairs
United States Senate
Washington, D.C. 20510-6075

Dear Mr. Chairman:

This is in response to the Committee's letter of September 11, 1990, requesting information regarding investigations and prosecutions involving financial institutions. We regret the delay in providing our reply.

Please find enclosed a list of the questions presented by the Committee and our answers. The list is in the form requested by the Committee. If we may be of further assistance to the Committee, please tell me.

Sincerely,

W Lee Rawls

W. Lee Rawls
Assistant Attorney General

Enclosure

RESPONSE TO WRITTEN QUESTIONS OF SENATOR DIXON FROM

RICHARD THORNBURGH

I. Responses to Senator Alan J. Dixon's Questions

Q.1. Please provide written documentation of requests for personnel from U.S. Attorney Offices around the country. What have been the Department of Justice's own estimates of how many additional attorneys and other personnel [are] needed to address the backlog of cases? How were these estimates made?

A.1. In 1990, the Executive Office for United States Attorneys (EOUSA) collected and compiled extensive data relating to the enforcement of federal laws dealing with fraud against federally insured financial institutions. This data includes written materials submitted by various U.S. Attorneys' Offices requesting additional staff for financial institution fraud investigations and prosecutions, but does not address the Committee's question about how many additional positions the Department would need in order immediately to address the backlog of pending matters. Further, the EOUSA has determined that since these materials contain information concerning ongoing investigations, the EOUSA cannot release them.

As the Committee knows, however, in March 1989, the Department of Justice conducted a unique survey of the field divisions of the Federal Bureau of Investigation (FBI) and the U.S. Attorneys' Offices in order to determine how best to allocate additional positions which the Department expected to receive later in the year. The responses to the survey included estimates of the positions that would be needed in order to address the matters pending at the time. The FBI has provided the results of this survey, which are voluminous, to the Committee on Government Operations of the U.S. House of representatives.

In estimating its personnel needs for financial institution fraud investigations and prosecutions, the Department considers various factors, including, for example, estimates made by Departmental components, current and anticipated workload, and external factors, such as the availability of judicial resources.

Q.2. Currently how many S&L crooks are in jail?

A.2. Records of the EOUSA reflect that between October 1, 1988 and November 30, 1990, approximately 223 defendants in "major S&L cases" alone have received prison sentences. ("Major S&L cases" are cases in which (a) the amount of fraud or loss was $100,000 or more, (b) the defendant was an officer, director or owner (including shareholder), or (3) the scheme involved convictions of multiple borrowers in the same institution.) Approximately another 122 defendants were awaiting sentencing. Beyond this, we are unable to tell the Committee how many "savings and loan crooks" are in jail. This information is not collected or maintained by the Department.

Q.3. Of the $56 million ordered to date in restitution, how much has Justice actually received in pocket?

A.3. During fiscal year 1989 through November 30, 1990, approximately $302,480,000 was ordered in restitution in "major S&L cases." The Department has no definitive figures available on the amount of restitution collected to date. Courts often order restitution to be paid directly to the victim or through the Probation Office. In such cases, the Department ordinarily is not involved in the collection process and does not collect or maintain data about the restitution actually paid to victims. But based on the experience of our prosecutors, we estimate that relative to the total amount of restitution ordered, payments made are low.

Q.4. How did the Justice Department arrive at its list of 100 priority cases?

A.4. This is not a Justice Department list. The list was compiled jointly by the Federal Deposit Insurance Corporation, Resolution Trust Corporation, and Office of Thrift Supervision. These agencies developed their list through a review of various criminal referrals involving allegations of fraud relating to over 100 thrifts. They provided their list to the Department and the information they provided was sent to the concerned U.S. Attorneys' Offices and FBI field offices for their information and appropriate action. This list by no means represents the totality of important, high priority financial institution fraud investigations and prosecutions under the Department's consideration.

Moreover, it is important to understand that the term "100 priority cases" relates to many more than 100 investigations, involving more than 100 thrifts. A particular investigation may or may not result in a criminal "case" (a prosecution brought by information or indictment). That will depend upon whether the evidence collected during the investigation is sufficient to justify criminal prosecution. Further, it may be of interest to the Committee to know that the term "case" is used by the FBI to refer to its investigations, while the U.S. Attorneys' Offices define this term, in the criminal context, to mean a case brought by information or indictment.

Q.5. What will happen to the other cases which did not make the list of 100? Were they weak cases because witnesses and assets and documents had disappeared, i.e. were they weak cases all along or only because of the passage of time?

A.5. The "list of 100" represents only a small part of the total number of pending financial institution fraud investigations and prosecutions of interest to the Department. Thousands of investigations involving allegations or reasonable suspicion of financial institution fraud are pending in the Department. Merely because a financial institution appears on the "list of 100" does not necessarily mean that the various investigations involving the listed financial institution are "strong cases" or will result in criminal prosecutions. Moreover, there are many pending investigations that are not on the "list of 100," but are based on substantial allegations and evidence of criminal wrongdoing. In any event, the Department expects to continue to address substantial allegations of financial institution fraud and to increase its enforcement efforts as additional prosecutors, investigators and support staff are brought aboard pursuant to the recent increase in funding for this effort.

Q.6. What is happening with the 1300 inactive cases involving amounts over $100,000? With the 3500 cases involving amounts over $25,000?

A.6. The FBI has reported that the figure of 1300 "inactive cases" was derived from the Department's March 1989 survey. This was a unique, limited purpose survey designed to collect data useful in determining where to assign new positions. Consequently, the FBI did not record the identity of a particular "inactive case," but merely compiled the number of such "cases." The FBI is, therefore, unable to identify these "cases" and report their current status.

Q.7. Was a judgment made that cases of $25,000 or less would not be prosecuted?

A.7. No. The Department has made no such judgment. As the Committee is aware, however, the Special Agents in Charge of the various FBI field divisions are vested with substantial authority to determine how best to employ their resources in addressing financial institution fraud. Similarly, the U.S. Attorneys are vested with prosecutorial discretion to determine whether or not to initiate investigatory or prosecutorial action. A number of factors are routinely considered in making such decisions. Included among them are the apparent seriousness of the allegations, the background of the suspects, the strength of the available evidence, the availability of investigators and prosecutors, and the feasibility of making a referral to State authorities. The "Fast Track" approach, which ordinarily involves confession cases requiring virtually no additional investigation, is employed in various districts. Moreover, some offices have established fraud prosecution guidelines based on the dollar amount of the fraud.

Q.8. The Chicago Tribune has reported that the $50 million requested by the Administration in FIRREA was not used, in fact, to hire additional prosecutors and investigators devoted entirely to financial fraud, as follows:

> In many cities, U.S. Attorneys filled a large share of the newly designated S&L slots with senior assistants who already were handling thrift fraud and embezzlement. The vacancies created by their transfer then were filled with new hires, a practice known as backfilling. Some of these new attorneys have been assigned to S&L cases...[but] many of the prosecutors are not working on S&L crimes alone. [7/15, p.1]

Is this an accurate report?

A.8. No. It suggests that the Department is taking lightly its responsibilities in this important enforcement area. This is not true. Appropriated funds resulting from FIRREA in 1989 have been obligated for FIRREA purposes and all but $266,000 of the $46,100,000 available for expenditure were obligated. In filling FIRREA positions, various U.S. Attorneys have assigned their best qualified, most experienced prosecutors to those positions because of the complicated nature of financial institution fraud investigations. Many of these prosecutors already were spending part or most of their time on financial institution fraud investigations and prosecutions. In a number of instances, newly hired prosecutors have been assigned to address matters outside the FIRREA area in order to ensure that important work would not go unattended as a result of the full time assignment of seasoned prosecutors to the FIRREA area.

In June 1990, while addressing the U.S. Attorneys during a conference of U.S. Attorneys held in Washington, D.C., the Attorney General directed the U.S. Attorneys to dedicate their FIRREA positions to FIRREA work. Consistent with this instruction is the temporary assignment of newly retained prosecutors to Departmental training courses and, occasionally, to the trial of cases outside of the FIRREA area as a training vehicle. Further, attorneys filling FIRREA positions in U.S. Attorneys Offices will inevitably be called on occasionally to handle emergent matters in their offices outside of their primary area of responsibility.

Q.9. Has Justice spent the additional $50 million appropriated?

A.9. Please refer to our answer to "Q.8."

Q.10. What exactly are the responsibilities of the Special Counsel for Financial Institutions? Will he have any authority over the U.S. Attorneys across the country?

A.10. Subtitle D of Title XXV of the Crime Control Act of 1990 (CCA) established the position of "Special Counsel" and the responsibilities and authority of the Special Counsel. Section 2536 of the CCA provides that the Special Counsel shall head a "Financial Institutions Fraud Unit," an entity established under section 2536. The Special Counsel shall report directly to the Deputy Attorney General.

Section 2537(b) of the CCA lists the following responsibilities of the Special Counsel:

> (1) supervise and coordinate investigations and prosecutions within the Department of Justice of fraud and other criminal activity in and against the financial services industry, including, to the extent consistent with the independent counsel provision of chapter 40 of title 28, United States Code, any such activity by any current or former elected official or high level executive branch official or any member of the immediate family of any such official;
>
> (2) ensure that Federal law relating to civil enforcement, asset seizure and forfeiture, money laundering, and racketeering are used to the fullest extent authorized to recover the proceeds of unlawful activities from persons who have committed crimes in and against the financial services industry; and
>
> (3) ensure that adequate resources are made available for the investigation and prosecution of fraud and other criminal activity in and against the financial services industry.

Further, section 2539 of the CCA provides that the Special Counsel shall supervise any task force established by the Attorney General if directed to do so by the Attorney General, and section 2539(c)(2) provides that the Special Counsel shall chair the "Senior Interagency Group" established under section 2539(c)(1).

Q.11. Is there any way to avoid multiple investigations by the Federal government of the same frauds. Specifically, suppose an FBI agent investigating a particular case discovers that a potential defendant has assets that could be recovered in court. Would that information be communicated to an FDIC attorney investigating the same case? How?

A.11. The Special Counsel mechanism initiated by the Department of Justice in June 1990, and formally established by the CCA, should minimize unnecessary duplication of effort. Further, while conducting financial institution fraud investigations, the

FBI routinely coordinates with concerned agencies. In a task force setting, if the FBI were to develop information about recoverable assets, that information would be shared with other members of the task force, including the FDIC if it were a task force member. If the FBI should discover such information during an investigation independent of a task force, the FBI would inform the concerned U.S. Attorney's Office so that it could make a determination of whether to supply the information to the appropriate financial institution supervisory agency for its action or to initiate other appropriate action. In some cases, the U.S. Attorney may decide, for example, to launch a forfeiture action under 18 U.S.C. § 981.

Q.12. In general, is there any way to make sure that civil and criminal authorities don't waste a lot of effort competing for the same pool of recoverable assets?

A.12. The Special Counsel mechanism should minimize such competition. In addition, where it is employed, the task force approach facilitates close coordination and cooperation among all of the concerned organizations. Moreover, the U.S. Attorneys routinely carry the primary responsibility for coordinating multi-agency operations occurring in their districts. Their efforts in this regard promote the elimination of wasteful competition.

Within any particular U.S. Attorney's Office, the Assistant U.S. Attorneys handling civil matters and cases and those handling criminal matters and cases coordinate their efforts. This coordination assures that there is a unified approach to litigation.

Q.13. Are we doing everything we can to make sure that potentially recoverable assets are identified before deciding not to sue or prosecute? Specifically, how does the Federal government trace assets?

A.13. It is important to the Department to recover assets whenever it can. Tracing assets often is a complex process requiring numerous resources as well as creativity and diligence. There are a number of means by which the Government traces assets. These means include, for example, grand jury subpoenas for accountant, bank, broker, insurance, credit card, and other records; informant information; reviewing public records (e.g., property and tax records, vehicle titles, lawsuits, partnership and corporation filings); credit checks; records seized during searches which indicate purchases and investments; and financial statements. Additional means include debriefings conducted during plea negotiations; polygraph examinations; ex parte court orders for disclosure of federal tax returns and return information; media reports; and regulatory reports.

The responsibility for pursuing assets as evidence of crime and for possible forfeiture rests initially with the appropriate investigative agency. Assistant U.S. Attorneys are regularly involved in making strategy decisions about how to identify and trace assets, and often take the lead in encouraging investigators to pursue a tracing investigation.

The Department has taken several major steps to ensure that the recovery of assets in financial institution fraud cases is accomplished when such recovery is feasible. For example, in July 1990, the Asset Forfeiture Office (AFO) of the Criminal Division and the EOUSA sponsored a Financial Institution Fraud/Asset Forfeiture Training Seminar in Dallas, Texas, which was attended by approximately 118 Assistant U.S. attorneys and a number of Fraud Section Attorneys. Further, in November 1990, the Interagency Bank Fraud Enforcement Working Group, through the Fraud Section, and the EOUSA sponsored a Financial Institution Fraud Training Conference in Washington D.C. Over 150 federal prosecutors and investigators attended this conference, which included training on recovering assets.

The AFO, in conjunction with several U.S. Attorneys' Offices, has been preparing civil and criminal FIRREA forfeiture forms on Word Perfect for use in all U.S. Attorneys' Offices. These should be available for distribution early in 1991. In addition, the AFO has recently requested that any Assistant U.S. Attorney handling a FIRREA forfeiture case notify the AFO upon the filing of a complaint. This information will be used to compile statistics and to provide assistance to other Assistant U.S. Attorneys handling FIRREA forfeitures.

Lastly, the Special Counsel is charged with ensuring that appropriate action to recover assets is taken and the EOUSA has recently formed a team of priority program managers (consisting of experienced Assistant U.S. Attorneys) to monitor and promote the success of the Attorney General's priority programs in the U.S. Attorneys' Offices. This team's primary focus is financial institution fraud enforcement, and it will be closely monitoring this enforcement effort.

Q.14. What, if anything, can be done to locate assets that may have been moved offshore?

A.14. The Department has embarked on an aggressive policy of pursuing assets derived from criminal activity generated within the jurisdiction of the United States, but which have been hidden or deposited abroad by their criminal owners. To locate such property, the Department, working through the State Department, has negotiated numerous mutual legal assistance treaties, executive agreements, and case specific agreements with foreign countries to obtain foreign bank and business records tracing criminally derived assets located abroad.

Where treaties are not in effect, the United States has used letters rogatory to reach the same end. To foster international forfeiture cooperation, the Department has promoted the concept of sharing forfeited assets with those countries which have assisted in the identification, repatriation, and forfeiture of such assets. It should be noted that our success in the international forfeiture field depends on the willingness and ability of foreign governments to cooperate as much as on our own efforts. To that end, the Department has promoted the concept of international forfeiture assistance and sharing in its meetings and dealings with its foreign counterparts.

Q.15. Criminals transfer assets quickly when investigated. Justice has been authorized to freeze assets, but, I understand, has not used this power. Why?

A.15. Through FIRREA, the Congress amended 18 U.S.C. § 981 to permit civil forfeiture of the proceeds of certain crimes involving financial institutions. But no conforming amendment clearly authorizing the Attorney General to seize forfeitable assets (effectively freezing them) was enacted. This ambiguity has been corrected through the CCA. FIRREA also provided for criminal forfeiture under new 18 U.S.C. § 982(a), providing that a court, in sentencing a person convicted of a violation of one or more of certain specified financial institution related offenses, shall order that the person forfeit any property constituting, or derived from, proceeds the person obtained directly or indirectly, as a result of such offense. Subsection 982(b)(1)(B) incorporates by reference the provision of the criminal drug forfeiture statute, 21 U.S.C. 853(e), relating to "protective orders."

Under that adopted provision, upon application by the United States, the court may enter a restraining order or injunction, require the execution of a satisfactory performance bond, or take other action to preserve the availability of property for forfeiture. Application for such protective orders may be made either upon the filing of an indictment or information or prior to such filing if, after an appropriate hearing, the court determines that there is a substantial probability that the government will prevail on the forfeiture and that failure to enter an order will result in property either being destroyed, removed from the jurisdiction, or otherwise made unavailable for forfeiture, and the need to preserve the availability of the property outweighs the hardship on any party against whom the order is entered.
Generally, a ninety-day time limitation applies to pre-indictment or pre-information requests by the Government. Temporary restraining orders may also be obtained by the government without notice or opportunity for a hearing prior to indictment or information; however, these expire within 10 days unless extended for good cause shown.

As criminal forfeitures under FIRREA are developed, increased use of these protective order provisions is anticipated. But it should be noted that the criminal forfeiture provisions contained in 18 U.S.C. § 982(a)(2) cannot be applied to pre August 1989 offenses due to the ex post facto clause of the Constitution.

The CCA has added another tool with which to seek the preservation of property derived from financial institution fraud. Section 2521(b)(2) of the CCA amended 18 U.S.C. § 1345 to expand the authority of federal prosecutors to commence a civil action to enjoin alienation, disposition, withdrawal, removal or dissipation of property traceable to a banking law violation under 18 U.S.C. § 3322(d) or property of equivalent value, and to appoint a temporary receiver to administer such restraining order.

Q.16. Why would a U.S. Attorney ever choose to bring a major fraud case -- which is expensive, time consuming, hard to win, and poorly understood by the public -- when with the same investment of time and resources he or she could send dozens of drug dealers to jail?

A.16. Some financial institution fraud prosecutions are simplified by focusing on discrete, isolatable criminal transactions rather than the entire fraudulent scheme. Others are more complex and require a time-consuming, difficult effort. The U.S. Attorneys understand that financial institution fraud is the Department's top economic crime priority. They fully recognize that it is their responsibility to vigorously pursue cases in this priority area and have done so.

Q.17. You have testified previously that fraudulent thrift managers on average receive 1.9 years in jail, while bank robbers received 9.4 years. What can be done to change the light sentences for thrift fraud?

A.17. Sentencing is under the exclusive authority of the courts, subject, of course, to limitations imposed by statute and the provisions of the U.S. Sentencing Commission's Sentencing Guidelines (effective beginning November 1, 1987). The Department has urged the Commission to amend the Guidelines to better take into account the evident intent of the Congress that financial institution fraud be punished more severely than most other fraud offenses.

RESPONSE TO WRITTEN QUESTIONS OF SENATOR RIEGLE FROM

RICHARD THORNBURGH

II. Responses to Senator Donald W. Riegle, Jr.'s Questions

Q.1. You state on page 10 of your prepared testimony that:

> [T]here is ample reason to doubt that recoveries will ever recoup the losses sustained by financial institutions. The primary reason for this is that restitution cannot be ordered until a conviction is obtained, which, as I have just explained, can take up to four years. By that time the assets of the convicted wrongdoer have frequently been depleted due to declining real estate values, overzealous spending habits or fraudulent transfers to conceal assets.

Is there any way to obtain a court order to freeze the assets of a person who is under investigation or has been indicted for thrift fraud to prevent that person from depleting his assets during that period? If so, are such orders routinely obtained in thrift fraud cases?

A.1. Section 2521(b)(2) of Title XXV of the CCA amends 18 U.S.C. § 1345 to facilitate freezing assets associated with financial institution fraud. Further, section 2521(b)(1) arms financial institution supervisory agencies with the means to seek an injunction or restraining order to prevent assets related to agency enforcement actions from being dissipated during the pendency of the action. In addition, sections 2524 and 2525 of the CCA amend 18 U.S.C. §§ 981 and 982 to expand the classes of property subject to civil or criminal forfeiture. These provisions should enhance the Government's ability to freeze assets in the future.

Prior to the enactment of the CCA, there were limited mechanisms for obtaining a court order to freeze the assets of a person under investigation or indictment for thrift fraud. FIRREA had only recently amended the forfeiture provisions in 18 U.S.C. §§ 981 and 982 to reach certain property associated with financial institution fraud. Section 1345 of title 18, U.S. Code had limited application, and forfeiture under the Racketeer Influenced and Corrupt Organizations (RICO) provisions was seldom a practical approach since the criminal conduct was most directly addressed through other criminal laws. Additional factors affecting the extent to which freezing assets involved in a financial institution related fraud is attempted by a federal prosecutor include the prosecutor's assessment of the risk of premature discovery for the potential criminal defendant of the prosecutor's evidence, the availability of staff to handle the action and the likelihood of success.

With regard to criminal forfeitures under FIRREA, section 963(c) of FIRREA amended 18 U.S.C. § 982 by adding a new subsection 982(a)(2) to provide that the court in imposing sentence on a person convicted of an offense specified in the subsection must order that the person forfeit any property constituting, or derived from, proceeds the person obtained directly or indirectly as a result of the offense. Subsection 982(b)(1)(B) incorporates by reference 21 U.S.C. § 853(e), the provision of the criminal drug forfeiture statute relating to "protective orders." Under that incorporated provision, upon application by the Government, the court may enter a restraining order or injunction, require the execution of a satisfactory performance bond, or take other action to preserve the availability of property for forfeiture. Application for such protective orders may be made either upon the filing of an indictment or information, or prior to such filing if, after an appropriate hearing, the court determines that there is a substantial probability that the Government will prevail on the forfeiture and that failure to enter an order will result in the property either being destroyed, removed from the jurisdiction, or otherwise made unavailable for forfeiture, and the need to preserve the availability of the property outweighs the hardship on any party against whom the order is entered. Generally, a ninety-day time limitation applies to pre-indictment or pre-information requests by the government. Temporary restraining orders may also be obtained by the government without notice or opportunity for a hearing prior to indictment or information; however, these expire within 10 days unless extended for good cause shown.

As criminal forfeitures under FIRREA are developed, increased use of these protective order provisions should occur. It should be noted that the ex post facto clause of the Constitution bars retroactive application of penal legislation increasing criminal punishment. Because criminal forfeiture is an in personam penalty imposed as part of the criminal sentence, it is subject to the ex post facto clause. Thus, the criminal forfeiture provisions contained in 18 U.S. § 982(a)(2) cannot apply to pre-August 9, 1989 conduct even though the conduct was unlawful prior to that date. Likewise, the criminal forfeiture provisions in the amendments to section 982 under the CCA cannot be applied to crimes committed prior to the date of enactment of the CCA.

With regard to civil forfeitures under FIRREA, section 963 of FIRREA amended 18 U.S.C. § 981 to provide for civil forfeiture of the proceeds of certain crimes specified in the statute. While we believe that since this is civil provision directed against the property, not the individual, the ex post facto clause does not apply, the provision did not clearly authorize the Attorney General to seize (in effect freeze) property covered by the new statute. The CCA corrected the statute to provide clear authorization for the Attorney General to implement FIRREA forfeitures.

Q.2. In FIRREA, Congress substantially increased the penalties for bank thrift fraud, and the pending Crime Bill would increase penalties yet again. Are there ways to approach the fraud problem other than through the criminal justice system?

(a) Could we beef up internal controls or the audit process and prevent fraud that way? If so, how?

(b) Could anything be done to raise the level of fiduciary duty for directors or officers, or to make directors and officers more cognizant of their duties? Might that help bring down the level of fraud?

A.1. The Department firmly believes that criminal fraud belongs in the criminal justice system. Those individuals who would defraud federally insured financial institutions should be on notice that they face imprisonment and the loss of their wealth. Of course, there will be situations which are most appropriately handled through civil penalty actions under section 951 of FIRREA (12 U.S.C. § 1833a), or by civil or administrative action undertaken by a financial institution supervisory agency. But in any event, individuals who have victimized a financial institution should face an appropriate criminal, civil or administrative sanction.

Sound internal controls and unbiased audits are essential elements of any anti-fraud program. The financial institution supervisory agencies are in the best position to advise the Committee in this area and we would refer the Committee to them for further comment.

We doubt that simply raising the level of fiduciary duty for directors or officers, or making them more cognizant of their duties would appreciably reduce fraud. Typically, fraud is committed when there is the opportunity to commit it and the offender has a motive. It is not committed for lack of awareness of one's duties. Indeed, that is a defense often raised by defendants who are claiming that they acted in good faith, without any intent to defraud. From our perspective, an important reason for making officers and directors fully aware of their responsibilities, and documenting that fact, is to strengthen our ability to rebut later claims by corrupt officers and directors that they had no intent to defraud their institution when they acted as they did.

Q.3. Early in 1989, in response to questions from this Committee, the Justice Department surveyed the United States Attorneys and obtained a wealth of valuable statistical information regarding their efforts to investigate and prosecute savings and loan fraud. The following questions are intended to solicit updated and more comprehensive survey data in response to essentially the same questions, expanded to include commercial banks as well as thrifts:

(a) How many insolvent commercial banks and thrift institutions has the Justice Department examined in each calendar year from 1982 to the present?

A.3.(a) For thrifts, through 1988, please refer to our letter of June 12, 1989 to the Committee and enclosure 1.(a) to the letter. The remainder of the requested data is not readily available. Collecting it would require a massive undertaking and the diversion of prosecutors and investigators from investigating and prosecuting crime. We do not believe that the Committee intended this result.

(b) In how many of these insolvent or problem institutions have you discovered fraud?

A.3.(b) Please refer to our answer to Q.3.(a).

(c) How many prosecutions has the Justice Department brought and how many matters are still under investigation?

A.3.(c) The FBI reports that it has an inventory of approximately 7,000 financial institution fraud and failure investigations pending. With respect to thrifts, the EOUSA reports that with respect to "major" thrift prosecutions during fiscal years 1989 through November 30 of the current fiscal year, 334 indictments or informations, involving 468 thrifts, have been filed, 544 defendants have been charged, and 385 defendants have been convicted. (A copy of an EOUSA summary containing this data is attached.) Beyond this, please refer to our answers to Q.3.(a).

(d) Does the Department contemplate initiating numerous additional investigations in this area?

A.3.(d) The FBI reports that an additional 300-600 financial institutions could fail in the foreseeable future and past experience indicates that criminal referrals are likely to be made in connection with 30% to 40% of such failures.

(e) What are the most prevalent types of fraudulent activity you have found in the institutions you have investigated? Who most frequently commits such fraud?

A.3.(e) For our answer to the first part of this question, please refer to the response to this question contained in our June 12, 1989, letter to the Committee. We do not have definitive data regarding the second part of the question, but believe that borrowers would rank high on the list of violators. Officers, directors, and employees of financial institutions obviously would be high on the list since many of the federal criminal statutes relating to financial institution fraud focus on the conduct of such persons. Further, brokers, accountants, attorneys, and others associated with financial institutions' transactions occasionally appear as defendants in criminal cases.

(f) In cases in which the Justice Department has found fraudulent activity, was this due to failure to adequately supervise by the relevant regulator of the failing or problem institution?

A.3.(f) This will amplify our June 12, 1989 response to this question. Regulation or supervision of financial institutions cannot totally eliminate fraud, although it can make committing fraud more difficult and can increase the likelihood that it will be detected and punished. Thus, effective regulation and supervision are essential components in the Government's overall effort to reduce fraud and assure that violators are apprehended and punished. Certain individuals of weak character will commit fraud whenever there is a motive and the opportunity. These are the people to blame. Responsibility for their criminal conduct rests squarely on their shoulders, nowhere else.

(g) In the investigations counted in your response to question (b) above --

(i) Please estimate the total dollar amount of the gross receipts obtained from the fraudulent activity.

A.3.(g)(i) Regarding thrift "major" prosecutions, the estimated loss during fiscal year 1989 through November 30, 1990, is $6,286,000. Beyond this, please refer to our answer to Q.3.(a).

(ii) Please estimate the amount that has been recovered or is recoverable through criminal fines, restitutions, or forfeitures.

A.3.(g)(ii)During fiscal year 1989 through November 30, 1990, approximately $302,480,000 of restitution was ordered in "major" thrift prosecutions. We do not have definitive data on the amount of restitution actually paid. Courts often order that restitution be paid directly to a victim. In a number of cases, restitution payments are supervised directly by the court or the Probation Office. In such cases, the Department ordinarily is not involved in the payment or collection process and does not collect or maintain data regarding these cases.

(h) Of the prosecutions counted in answer to question (c) above, how many have been or are being prosecuted as either civil or criminal RICO violations?

A.3.(h) RICO has not been widely used in prosecuting financial institution fraud, since usually there are other statutes available which directly and most effectively address the criminal conduct. As of August 31, 1990, the files of the Organized Crime and Racketeering Section of the Criminal Division reflect that the Department has filed RICO charges in 15 financial institution fraud related cases. Two of these cases were civil cases. The 15 cases do not involve civil RICO cases brought by a financial institution supervisory agency or private party, since these cases are not Justice department cases and are not routinely tracked by the Department.

Whether or not to include civil or criminal RICO charges in a fraud case depends on several factors. First, does RICO apply? Until the enactment of FIRREA, bank fraud in violation of 18 U.S.C.

§ 1344 was not a RICO predicate, necessitating charges of more attenuated mail or wire fraud offenses in order to bring a RICO action. Now that bank fraud is a RICO predicate, this hurdle no longer exists for violations committed after the effective date of FIRREA.

Second, is RICO necessary in order to forfeit criminal proceeds? Where RICO fits and where only RICO can reasonably ensure conviction of the defendants and forfeiture of their proceeds, we will proceed with RICO. Of course, in many instances we can now expose a fraud defendant to lengthy sentences and forfeiture under FIRREA's and the CCA's provisions, and thereby obviate one of the principal reasons for using RICO.

> (i) Of the defendants in prosecutions counted in answer to question (c), above, how many have been -- (i) Officers of the bank or thrift? (ii) Directors of the bank or thrift? (iii) Controlling shareholders of the bank or thrift? (iv) Attorneys retained by the bank or thrift? (v) Outside accountants or auditors retained by the bank or thrift? (vi) Outside real estate appraisers retained by the bank or thrift? (vii) Real estate developers, real estate brokers, loan brokers, or deposit brokers doing business with the bank or thrift?

A.3.(i)(i)-(i)(iv) With respect to defendants in the "major" thrift prosecutions referred to previously, 62 were either board chairman or president of the thrift (48 of these had been convicted as of November 30, 1990). Board directors and other officers account for 113 of the defendants (94 of these had been convicted as of November 30, 1990). Beyond this, please refer to our response to Q.3.(a).

> (j) For each year since 1982, what new positions have been established within the department and within each U.S. Attorney's office whose primary responsibilities related to investigation and/or prosecution of bank and/or thrift fraud?

A.3.(j) The EOUSA reports that in fiscal year 1990, the Department allocated 121 Assistant U.S. Attorneys in 37 districts to work on financial institution fraud matters and cases. Within the Criminal Division, in fiscal year 1990, the Fraud Section allocated 37 attorney positions to this enforcement area. With the enactment of the CCA, the Fraud Section will allocate an additional 37 trial attorneys to the financial services area. As of the end of fiscal year 1990, the FBI had assigned approximately 600 agents to financial institution fraud investigations.

Q.4. Please list the name, address, and telephone number of each U.S. Attorney who does not provide answers to the preceding question.

A.4. As a general matter, the various U.S. Attorneys are very responsive in providing data to the Department. In this instance, as previously noted, we have not undertaken the extensive survey and diversion of investigatory resources that would be required to collect the data needed to reply fully to the Committee's request, since we do not believe that the Committee intends that the enforcement effort be diminished.

Q.5. Please provide a statistical analysis for the year 1982 through the present of bank and thrift fraud cases investigated and litigated by the Department, including the U.S. Attorneys Offices, and the FBI. The analysis should include breakdowns of cases investigated and litigated by: (a) Dollar amount of fraud; (b) Disposition of case (i.e., prosecutions vs. dismissals; trials vs. pleas; convictions vs. acquittals, etc.); (c) Whether the case involved an open or closed institution; (d) Recoveries through criminal penalties, restitution, or forfeitures; (e) Prison terms imposed, sentences suspended, and time served.

A.5. The EOUSA estimates that the collection and assembling of the information requested in Q.3.(a)-(c), Q.4. and in this question would require approximately one year at substantial cost to the enforcement effort. Similarly, the FBI reports that to respond to this question it would need to conduct a field-wide manual review of approximately 84,000 FBI files. We do not believe that the Committee intends this result.

Q.6. What additional demands are prosecutions related to bank and thrift failure likely to place upon the judicial system between now and 1995? What additional resources, if any, does the judicial system need to cope with those demands?

A.6. The current demands placed on the judicial system are anticipated to continue through 1995. An increase in such demands seems likely in light the added resources under the CCA. Further, additional demands will be placed on various probation offices charged with conducting presentencing investigations and preparing sentencing reports. The additional judicial positions provided by the CCA should be most helpful. We cannot answer whether additional positions will become necessary, but suggest that the Committee seek the views of the Administrative Office for the United States Courts.

Q.7. What policies and procedures does the Justice Department employ to ensure that similar cases are treated similarly by Justice Department prosecutors, the U.S. Attorneys, and the FBI with respect to the exercise of discretion over whether and how to investigate, whether to initiate criminal proceedings, and plea bargaining?

A.7. Each U.S. Attorney's Office establishes its own prosecutorial guidelines, subject, of course, to established Departmental policies and guidelines. The U.S. Attorneys' Manual, the U.S. Attorneys' Bulletin, and occasional written instructions to the field keep the U.S. Attorneys informed about such policies and guidelines. The FBI has published policies and procedures applicable to its field divisions. Supervisory level officials ensure that they are carried out.

UNITED STATES DEPARTMENT OF JUSTICE

SAVINGS AND LOAN PROSECUTION UPDATE

The Department of Justice today issued the following information describing activity in "major" savings and loan prosecutions during Fiscal Years 1989 - 1991 (October 1, 1988 - November 30, 1990).

Information/Indictments:	334
S&Ls Victimized:	468
Estimated S&L Loss:	$6.286 billion
Defendants Charged:	544
Defendants Convicted:	385
Defendants Acquitted:	15
Prison Sentences:	752 years
Sentenced to prison:	223 (78%)
Awaiting sentence:	122
Sentences w/o prison or suspended:	63
Fines Imposed: *	$3.796 million
Restitution Ordered:	$302.480 million

NOTE: All numbers are approximate.

"Major" is defined as (a) the amount of fraud or loss was $100,000 or more, or (b) the defendant was an officer, director, or owner (including shareholder), or (c) the schemes involved convictions of multiple borrowers in the same institution. These numbers are based on reports from the 94 offices of the U.S. Attorneys and from the Dallas Bank Fraud Task Force.

* This amount has been adjusted due to record keeping error.

December 7, 1990